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Inaugural Address of Governor Wood.

Delivered at the Capitol, Dec. 21, 1847.

Gentlemen of the Legislature,
And Fellow Citizens:

Gov. Wood's Inaugural address.

The present occasion inspires me with pleasing and grateful emotions. I am deeply affected by the recent manifestation of the partiality of the people of Texas, in conferring upon me the distinguished office of Governor of the State; and I avail myself of this opportunity to return to them, through their honorable representatives, my most sincere and hearty thanks, with the solemn assurance, that, in the discharge of the high trust so generously confided to me, my highest aim shall be, to merit their continued and abiding esteem.

I will regard the solemn injunctions of the oath, which the Constitution requires me to take, but not more sacredly than I will the moral obligations imposed upon me by a brave and generous people.

Upon this occasion, a full exposition of my views of State policy cannot be expected. At an early day I will recommend to the consideration of the Legislature, as the Constitution requires me to do, such measures as the public interests may seem to require.

To such measures as the Legislature in its wisdom may adopt, to promote the public welfare, I can promise an honest and cordial co-operation.

Gentlemen, I am apprised of the arduousness and responsibility of the duties which will soon devolve upon me; nor am I insensible of my own inexperience and inability. I therefore, feel less hesitancy in requesting of you, in the outset, your aid and reciprocal co-operation. Your patriotism and intelligence, together with your uniform courtesy and kindness, is a sufficient guarantee to me, that in the constitutional discharge of my duties, your valuable assistance will be accorded readily and cordially.

Senators and Representatives! You are, already, actively engaged in the discharge of your important duties. Your constituents, while they have honored you with their preference, have entrusted you with their most sacred interests. I will not reflect upon your integrity, by urging upon you the importance of a zealous advocacy of, and adherence to, such measures and principles as will promote their present and future prosperity. I will only indulge the hope, that the present session, commenced under such auspicious circumstances, may result in

abundant good to our common constituents.

During the administration of my predecessor, the rights of Texas to her territorial limits, as uniformly asserted, have been recognized by the Executive of the United States. The invasion of our soil has been repelled, and hurled back upon our vain glorious foe; and the sword — that alternative long delayed, until forced upon us by Mexico, has successfully done its work of retributive justice upon our obstinate, but now defeated enemy.

During the progress of the war, in which the patriotism and valor of the nation, have been most signally displayed; the conduct of Texians, has sustained their high reputation for chivalry, already won on many a hard fought field. They have proved themselves among the foremost to march at their country's call. — They have fought in the front ranks of battle; and, by their valor and numbers, have added strength to the armies of the Union, and fresh laurels to the martial character of their State!

As the Executive office of the State, it will be my effort to aid and assist the present administration of the National Government, in its general policy; and, especially in a continued vigorous prosecution of the war against our common enemy, as the only proper means of securing a lasting and honorable peace: and, relying upon the support of your honorable bodies, I shall endeavor to sustain, to the utmost, our territorial limits; and guard, with vigilance, the rights of our State, guaranteed by the compact of annexation, and the original comprises of the Federal Constitution.

In conclusion, gentlemen, I would recommend to you, harmony of action. It is an essential element in legislation. Guard against local and sectional prejudices. Let us cultivate friendly and social intercourse with each other; and may one impulse prompt, and one spirit animate us — a disinterested desire to prove ourselves worthy servants of a deserving people — so that when our labors are ended and we retire to the peaceful quietude of our homes, we will bear with us the grateful consciousness of having acted well our parts, and the welcome thanks of a generous constituency will attend us.

But, Gentlemen, as it is human nature to err, we should not omit, in our councils, to invoke the aid of the Supreme Being, who while he is the Fountain of Wisdom, is the Gracious Dispenser of National, as well as individual blessings.

Geo. T. Wood

Executive Office,
Austin, Dec. 23d., 1847.

Gentlemen of the Senate,

Nomination of Secretary of State.

I respectfully submit, for the advice and consent of your Honorable Body, the following nomination, viz;

Washington D. Miller, for Secretary of State

Geo. T. Wood

Executive Office,
Dec. 24th., 1847.

Notifica to Secretary of State of his confirmation.

The Governor has the honor to inform Washington D. Miller, Esq., that his nomination to the Office of Secretary of State was confirmed by the Senate on the 23d. inst. He requests, therefore that he proceed to qualify himself and enter upon the discharge of his duties.

The Department is ready for his occupation.

Geo. T. Wood

Executive Office,
Austin, Dec. 24. 1847.

To Hon. David G. Burnet.

Sir,

In reply to your communication of yesterday I have the honor to inform you that Washington D. Miller, Esq. has been appointed Secretary of State and the nomination confirmed by the Senate. You will therefore please place the Office under the control of the Clerk who will attend to the business for the time being.

Notifica to late Secretary of State of the appointment of his successor.

Very Respectfully
Your Obt. Servt.
Geo. T. Wood

Executive Office,
Austin, Dec. 29. 1847.

To Chief Justice San Patricio Co.

Enclosed you have a Proclamation for the Election of Senator in your District. You will immediately issue writs of election for the several Counties composing said District. The Proclamation as you perceive is not filled out. You will order the election at as early a day as practicable. Your prompt attention is required.

Transmitting to C. J. San Patricio proclamation for election of Senator

I have the honor to be, Your Obt. Servt.
Geo. T. Wood

Executive Office,
Austin, Dec. 29. 1847.

Gentlemen of the Senate,
And of the House of Representatives:

Gov. Wood's first general message.

The Message of my predecessor, communicated to the Legislature at the commencement of the session, gave you all the necessary information, in relation to the present condition of the Government, and of its administration since your last convention. It only remains for me to recommend to your consideration, such measures, and the adoption of such a course of policy, as may seem expedient for our future governance and prosperity.

The present position of our affairs, affords ample room for congratulation. At no period, in the history of our country, have we had more cause to rejoice, on account of her prosperous condition. Our State Government, founded on the will and affections of the people, is daily growing in strength. Local jealousies and sectional prejudicies, if they ever existed, have given place to the better feelings of patriotism, and habits of industry, and subordination to the laws prevail throughout the length and breadth of the State. Security at home, and the peaceful enjoyment of the blessings of liberal institutions, have given a new impulse to our advancement in prosperity, happiness and the science of government. The past season has been one of general good health, and Providence has blessed the country with an abundant harvest. For all of which, we owe to the Supreme Being, our sincere gratitude.

Meeting together under circumstances so auspicious, it becomes our duty, to unite in harmonious action, for the continuance and promotion of the prosperity and happiness of our common constituents.

Among the many important matters which will come up for your consideration, there is none more urgent and difficult of adjustment, than that of the payment of our public debt. The first point in relation thereto, is the determination of its amount: the next, is the means of its payment. The subject is intricate and perplexing.

and will require close investigation. Should the Legislature think proper to act upon it, with a view to its adjustment, I would respectfully suggest the propriety of appointing a commission of two or three gentlemen of integrity and ability to examine, and to and ascertain our true indebtedness, including of course, our foreign and domestic debt, funded and unfunded, audited and unaudited; allowing such as they may find to be just and legal, subject however to the ratification or rejection of the Legislature. As to the amount we ought justly to pay, upon each nominal species of debt, it will be for your collective wisdom, to determine. After much reflection upon the subject, I have thought, that the true measure of payment, would be the market value of the several evidences of indebtedness at the time they were disposed of by our Treasury or the agent thereof, with interest thereon from that time, at the rate named on the face of such evidences. It is believed that the amount of our entire indebtedness, determined by this scale, will not perhaps exceed five millions of dollars.

As to our means of payment — our large and valuable public domain, is the only ready resource we have. This too, presents a still more important subject for your deliberations; as you will have to determine upon some course of policy to be pursued in bringing this immense tract of country into market. At a fair price, it is only sufficient to liquidate our debt, but will give us a surplus after its payment, of inestimable value when applied, as it should be to the education of the youth of our country, and the developement of our resources, by internal improvements.

The most suitable and proper purchaser of our public lands is the United States. If a sale can be effected on advantageous terms, it will, under the present circumstances, be delivable, inasmuch as the Federal Constitution gives her alone, the exclusive right of regulating our intercourse with the Indian tribes. She would then be the owner of the soil occupied by the various tribes upon our borders, and could the more effectually control them. In addition to this, her uniform manner of surveying, and selling her public lands, would greatly facilitate settlements within our State.

If, in your wisdom, you determine to propose a

sale of our public domain to the General Government, I would respectfully suggest, that you appoint our delegation in Congress, or some other suitable persons as Commissioners, to enter into negotiations with the proper authorities, upon this important subject. If, however, you determine upon another course of policy, as being better calculated to promote the interest of the State, you have the assurances of the hearty sanction and co-operation of the Executive in whatever you may legally and constitutionally do.

Our debt must be paid. The honor of the State must stand without blemish. We never can expect to attain a high and permanent prosperity, until it is done, and the consummation of a purpose so noble, calls for united and energetic action.

I would here take occasion to call the attention of your honorable body, to a subject which has of late, occupied much of the public mind — a subject involving in its issue, interests of the greatest moment to the people of Texas. I allude to the efforts that have been made, and are now making to sustain certain land claims, supposed to be fraudulent. It is a notorious fact, that the country is flooded with these claims, and if they should hold good, and the perpetrators of such frauds succeed in their designs, it were useless longer to consider, as to the disposition of our public domain, as in that event, the whole will be appropriated and absorbed by them. The evil will not stop here. The State will not be the only sufferer. The vested rights of our oldest and best citizens will be disturbed and endangered. Our land titles will be clouded, emigrants will be prevented from purchasing, the settlement and improvement of our country, will be retarded, and an amount of confusion and litigation, unparalleled in the history of our sister States, will necessarily ensue. The question arises, is there no remedy by which these evils can be arrested? Will the State submit to the imposition of a fraud so general in its character, and so pernicious in its consequences? It seems to me that some further legislative provisions are indispensable to the security of the public interest. I would therefore recommend that your honorable body

adopt such measures as will effectually enable the judicial tribunals of the State, to prevent the consummation of titles to land, acquired by virtue of fraudulent certificates, and that precautionary means be taken, to prevent the survey of the public lands on spurious and fictitious claims.

It will become your duty under the 29th and 31st sections of the third article of the Constitution, to fix the number of Senators and Representatives to the Legislature, and to apportion them among the several Counties and districts of the State, according to the number of our free population, as ascertained and reported by the County Assessors, in pursuance of the law passed by the last session of the Legislature.

It will also be necessary for you, under the same sections of the Constitution, to enact a law for a similar enumeration in the year eighteen hundred and forty eight.

Our last Legislature passed an act to establish a State Penitentiary. This law provides for the erection of the buildings by the convicts, and is of course inoperative for want of a penal code applicable to such mode of punishment. It will, therefore become your duty to adopt a code for the punishment of all offences, not capital and above the grade of misdemeanor by confinement to labor in the Penitentiary of the State. With the lights before us and the experience of other States in regard to the mode of punishment, you cannot fail to digest a code of criminal laws which will not only supercede the savage practice of the whipping post, but will deter the wicked among us from violating the rights of others. So soon as this necessary code is adopted, the Executive will cheerfully proceed to execute the provisions of the act of 1846.

The 15th section of the 4th article of our Constitution having given to the District Courts "original jurisdiction and control over executors, administrators, guardians and minors under such regulations as may be prescribed by law," the last Legislature without prescribing these regulations, proceeded to give to the Probate Courts ample powers over the same subjects. By this means some confusion has arisen in the interpretation of our successive laws. Some Legislative provisions will, therefore, be necessary to regulate this jurisdiction. I bring this matter more readily before you, because it will be admitted by all, that no branch of our civil jurisprudence is of more practical importance than the laws regulating the

safe keeping of the estates of minors and deceased persons. And perhaps it may be said with equal truth, that no part of our laws are more imperfect.

The 36th section of the 7th Article of the Constitution, provides that within five years after its adoption, the laws civil and criminal shall be revised, digested, arranged and published in such manner as the Legislature shall direct. To carry out this excellent provision of the fundamental law, I would recommend the appointment of legal gentlemen to revise, digest and arrange our entire code of laws. The work is greatly needed by our County officers, throughout the State. Many of them are without the statutes; and those who have them, find in them such entire absence of arrangement, that they are to them a sealed book. To engage the services of men learned in the law, and to have the work well done, a suitable compensation should be allowed them by law, and provision should be made for publishing the code so soon as it is revised.

I would further recommend to the Legislature the propriety of having published the decisions of the Supreme Court of the State. During the last two years, important principles have been adjudicated by that tribunal, involving interest of great magnitude, and explanatory of our statutes and defining our legal and social rights. These decisions have not as yet been published in an authentic form, and as it is important and desirable that they should be correctly printed and generally disseminated, the necessary appropriation should be made.

By the 10th article of the Constitution, it is made the duty of the Legislature to make suitable provision for the support and maintenance of public schools. Your body is further required, as early as practicable to establish free schools throughout the State. One tenth of the annual revenue derived from taxation is set apart as a perpetual public free school fund. In addition to this general fund, the land granted to the various counties for school purposes are made a perpetual fund, and those counties, which have not as yet received their quantum of school lands shall be entitled thereto.

The Congress of the late Republic of Texas by an act approved 26th January, 1839, directed to be surveyed and set

apart for each county, for the purpose of establishing a primary school or academy in each county, three leagues of land.

By the same act fifty leagues of land were directed to be surveyed and set apart for the endowment of two colleges or universities.

By another act approved 5th February, 1840, the Chief Justice and two associate Justices of each county were appointed a board of school Commissioners, with power to have located and surveyed the three leagues above refered to, and the additional power of surveying and selling an additional league of land; the one-half of the proceeds of such sale to be applied to the endowment of the County academy, and the remainder to be distributed to the county school districts.

This is the whole of our imperfect legislation on the great and vital subject of Education.

It is almost impossible to tell what the old Counties have done upon the subject of surveying and selling school lands. To obtain the necessary information in relation to the matter, we need some legal provision requiring the County Clerks, Assessors or Chief Justices to report what has been done in their respective counties. It is believed however, that few of the counties have had the land surveyed.

The system of leasing or renting school lands has never worked wele in any of the States. Experiance has universally proved the expediency of selling such lands and bringing the monies into a general school fund.

To begin however, in this great work, it will be necessary that we should know, what lands have been set apart by the Counties where they are situated; and that we proceed under constitutional requirements to have set apart the deficient lands. I therefore recommend that you make provision on this subject at as early a day as practicable.

It will also be for your body to say what disposition shall be made of the tenth of the revenue now in the Treasury, and annually coming in as a permanent school fund.

The license and revenue laws passed by the last Legislature, have in their practical operation produced some confusion and dissatisfaction among our citizens. It will be for you to consider whether they cannot be revised and modified in such a manner as to be more uniform and less objectionable to the tax paying community.

In connection with this subject I would suggest the propriety of having the assessment rolls of non resident tax payers published at a point, as near as possible to the location of the property assessed. This would certainly present the readiest means of giving information to the owners.

For the more speedy and certain collection of State and County revenue, I would recommend that a law be passed, authorizing a judgment to be taken by motion against any Officer and his securities on their bond, for a failure to pay over the public monies by him collected.

The last Congress made an appropriation for the erection of two lighthouses upon our coast. One to stand upon Galveston and the other upon Matagorda Island. Before the works can progress it will be necessary that the Legislature pass a law, ceding to the General Government the right of jurisdiction over the grounds appropriated to such purposes. I herewith transmit to you a communication from the Collector of the Port of Galveston, upon this subject. The communication contains some other suggestions in relation to the transfer of our "Custom Houses and other places for the collection of import duties." It is respectfully submitted to your consideration.

In addition to our population speaking the English language, we have a large industrious and growing German population. — It will be necessary in order that they may participate fully in the blessings of our free Government that a certain number of copies of our statutes of a general nature, should be printed in their language. As they must abide by our laws, let them know what they are. Such has been our custom in regard to our Citizens speaking the Spanish language. The reasons are still more potent in regard to the enterprising and patriotic German who has come to make his home in our Country, and who has already given us a pledge of his worth in the spirit of improvement which he has kindled in the western portion of our State.

I cannot close this communication without congratulating you upon the success of our arms in Mexico,

and also expressing a sincere desire that the infatuated people of that unhappy country will see the necessity of accepting the honorable and liberal terms of conciliation offered them by the United States.

But while the administration of the Federal Government has covered itself with glory in the conduct of the war, every patriotic spirit is made to tremble with anxiety for the peace of the Union, because of the late and fearful combination in the North against the institutions of the Southern States.

The object is to rally in the National Congress, a majority favorable to the distinction of the compromises of 1819, and of the Federal Constitution.

I sincerely hope that you will not adjourn without publicly expressing a strong and point d condemnation of these startling doctrines.

In conclusion, gentlemen, I recommend to you a just economy in the public expenditures and a mutual concession of opinions for the purposes of harmony and the despatch of public business. And I promise you the use of my sincere and best endeavors to co-operate with you in carrying out every legal and constitutional measure that will advance the interests of our beloved country.

Geo. A. Ford

State Department,
Austin, January 1, 1848.

To
Charles Mariner, Esq.

Sir,

Appointment of Clerk of State Dept.

I hereby tender to you the appointment of Clerk in the State Department.

An early reply is requested.

Very Respectfully,
Your Obt. Servt.

W. D. Miller

Secretary of State.

Executive Office,
Austin, January 6. 1848

To The Honorable,
The Speaker and Gentlemen
Of the House of Representatives.

Message transmitting invitation.

The Executive has the honor to transmit the enclosed communication to the two Houses of the Legislature. As you will perceive, it is an invitation tendered to you by the citizens of San Antonio, to attend the funeral obsequies of the brave and lamented Captain Samuel H. Walker, to be celebrated in that city on the 8th. Instant.

Geo. T. Wood

State Department,
Austin, January 4, 1848.

To the Honorable
The President of the Senate:

Sir,

In compliance with a resolution of the Senate, of the 31st Ultimo, I have the honor to communicate herewith, a complete list of the captions of all the acts and joint resolutions passed by the first Legislature of the State, the enrolled copies of which are on file in this Office.

Note to the Senate transmitting captions of acts.

The captions furnished correspond exactly with those published in the printed volume of laws — with which they have been compared as well as with the originals.

W. D. Miller
Secretary of State.

Executive Office,
Austin, January 15, 1848.

To Captain Fitzhugh
and Company.

Gentlemen,

Having recently come into office I have delayed making this communication to you for want of the necessary information, touching the frontier defence and the reorganization of your Company. I have learned that the term of service for which you enlisted expires on the 2d. of February, ensuing. I am also informed that you have received no pay for your past services.

Letter to Capt. Fitzhugh of the Rangers.

The necessity for a ranging company for that section of the frontier is manifest; and as I am

well pleased with your past services I desire that the same Company be retained in the service or as many of you as may wish to do so.

I have no direct orders from the War Department to have you re-mustered, I will, however, order it done, satisfied as I am that the General Government will sanction whatever may be done reasonably for the protection of our exposed frontier.

I will urge your immediate payment and will endeavor so far as I may have an influence to have you better provided for in future.

I have instructed Captain Fitzhugh to re-organize the Company and will forthwith order you mustered into the service at the same time that you are mustered out.

The Company as a matter of course will be entitled to re-organization and to elect their Officers if they think proper to do so.

Very Respectfully
Your Obt. Servant.

Geo. T. Wood

Proclamation
By the Governor of the State of Texas

Proclamation for election to fill vacancy of John D. Anderson

Whereas, John D. Anderson, has resigned his seat in the State Legislature, as Representative for the County of Gonzales and those portions of the Counties of Guadalupe, DeWitt and Lavaca, voting with said County of Gonzales:

Therefore, it is ordered and directed that the Chief Justice of said County of Gonzales give due and legal notice of not less than five nor more than ten days for an election to be holden at the several precincts in said

County and parts of counties, for the election of a Representative in the Legislature to supply the vacancy occasioned by the resignation of John D. Anderson, and returns thereof make according to law.

L. S.

In testimony whereof, I have caused the Seal of State to be hereunto affixed.

Done at Austin, this fifteenth day of January, in the year of our Lord, one thousand eight hundred and forty eight.

By the Governor:

W. D. Miller,
Secretary of State.

Geo. T. Wood

Executive Office,
Austin, January 18. 1848.

Gentlemen of the
House of Representatives,

Message in relation to the late Officers of the Navy of Texas.

You are aware that by the terms of the Joint Resolution of Annexation, the Republic of Texas was required to transfer to the General Government her Navy and all other means of public defence. You are also aware that a question has arisen, whether the Officers belonging to the Navy were not a constituent part of the same, and if so, whether they should not of right, be included in the transfer and incorporated in the Naval service of the United States.

A bill was introduced by one of our Senators in Congress at the session before the last, authorizing the President to increase the Naval establishment of the United States by adding thereto the Navy of Texas. Our Senators

contended that a liberal construction of the Annexation Resolutions together with the fair promises made by Mr. Donelson to the authorities of Texas gave our Naval Officers, thrown out of employment as they were, and cast upon the world without means, a strong claim upon the justice and magnanimity of the United States Government. This bill was objected to and consequently failed to pass. President Polk, however, assured our Representatives that, he would bring the subject again before Congress at the present session, and it is to be presumed that when the government has made promises, directly or indirectly she will redeem them and that even handed justice will be meeted out to Texas and her Citizens.

Our Legislature has as yet had no action upon this subject and as it will claim the attention of our delegation at an early day of the present Session of Congress, I would most respectfully suggest to your honorable body the propriety of passing resolutions expressive of the wishes and expectations of the people of the State.

If any class of our citizens were injured by the consummation of annexation it was that class which constituted our Navy — inasmuch as they were thrown out of the profession to which they had been educated and disqualified for engaging in any other business. It will also be admitted that the Navy was a strong arm of public defence and assisted in the establishment of our government and the maintenance of our national honor.

Geo. T. Wood

Executive Office,
Austin, January 15. 1848.

To Commandant at Matamoras.

Sir,

Letter to the Military Commandant at Matamoras.

I have the honor to direct your attention to the enclosed copy of a letter from Edward Aveyman, Esq., directed to the Executive of this State, complaining as you will observe that his wife, who was formerly Mrs Striker, has been unjustly bereft of certain books, papers and land titles — all of which are now in the possession of a Mr. B. Granna a Citizen of Metamoras.

Mr. Aveyman, the petitioner, appeals to the Governor of Texas for redress, and being a citizen of Texas and coming favorably recommended to the Executive, I respectfully beg leave to call your attention to the facts set forth in the enclosed copy of the petition and ask your interference in the matter.

As there is no judicial tribunal in Metamoras, to which to appeal, I request of you to use your exertions and influence in behalf of said Petition in order that he may be enabled to recover his papers, land titles &c., which are necessary to the establishment of his rights in Texas.

Your early attention to this matter is most respectfully requested — and any assistance that you may render Mr. Aveyman in his present awkward position will be gratefully acknowledged by him and esteemed as a favor by me.

I am Sir,
Your Obt. Servt.

Geo. T. Wood

Proclamation
By the Governor of the State of Texas.

Proclamation for election in Matagorda and Wharton Counties.

Whereas, in consequence of no returns of election having been received and from the authority of the Chief Justice of Matagorda County, that none had been transmitted to him, said County and that portion of Wharton County voting with Matagorda County are unrepresented in the present Legislature.

Therefore, it is ordered and directed that the Chief Justice of said County of Matagorda give due and legal notice, of not less than five, nor more than ten days for an election to be holden at the several precincts in said County and part of County, for a representative to supply the vacancy existing in the Legislature now convened and make due returns thereof according to law.

L. S.

In testimony whereof, I have caused the Seal of State to be hereunto affixed.
Done at Austin, this twenty-fourth day of January, in the year of our Lord, one thousand eight hundred and forty eight

Geo. T. Wood

By the Governor:

W. D. Miller,
Secretary of State.

Executive Office,
Austin, January 24th 1848

To Chief Justice of Matagorda County.

Sir,

Received your note informing me that no return had been made of the election held in your County for Representative in the State Legislature.

Letter to C.J. Matagorda in relation to election.

I have delayed ordering the election to fill the vacancy, by the advice of several of the Representatives, as there was a doubt entertained, whether Mr. Jones, having, as I learned, received all the votes given in Matagorda County, would not appear and claim his seat. In such an event it would have devolved upon the Legislature to determine whether there was a vacancy.

I deem it unnecessary to wait longer and accordingly send to you the enclosed proclamation.

You will please order an election immediately to fill the vacancy in your Representative District.

I have the honor to be,
Your Obt. Servant.

Geo. T. Wood

(Circular.)

State Department,
Austin, January 26, 1848.

Sir,

Enclosed herewith, you will receive _____ commission for _____ which you will please deliver to _____ after _____ shall have first qualified and given bond, in conformity to the laws of this State, but not otherwise. See Vacancies of _____ Legislature, by proclamation.

Immediately after the said _____ shall have qualified according to law, you will please, not fail to notify the office of the fact, carefully specifying the date of said qualification.

In the event of the resignation, death, removal, or failure to qualify, of any County Officer of your County, communicate the same to you, will please also advise this office of the fact, without delay. This course is indispensable, necessary to enable the Secretary of State to make the proper entries in the official register which he is required to keep.

Circular letter to C. Js of Counties transmitting commissions.

I have the honor to be,
Very Respectfully,
Your Obt. Servt.

M. D. Miller,
Secretary of State.

To the Honorable the Chief Justice
of _____ County

Proclamation

By the Governor of the State of Texas.

Proclamation for election to fill vacancy of M. T. Rodgers.

Whereas, a vacancy has occurred in the State Legislature, in consequence of the decease of the Hon. Magnus T. Rodgers, a Representative from the County of Harris.

Therefore, it is ordered and directed that the Chief Justice of said County of Harris, give due and legal notice of not less than five nor more than ten days for an election to be holden at the several precincts in said County, for the election of a Representative in the Legislature to supply the vacancy occasioned by the death of Magnus T. Rodgers, and returns thereof make according to law.

L. S.

In testimony whereof, I have caused the Seal of State to be hereunto affixed.

Done at Austin, this twenty-sixth day of January, one thousand eight hundred and forty eight.

H. G. Foard

By the Governor:

W. D. Miller,

Secretary of State.

State Department,
Austin, January 27, 1848.

To S. A. Hewitt, Esq
San Antonio.

Sir,

I regret to be compelled to transmit back to you the papers which you forwarded for the purpose of having the Certificate of the Secretary of State to the Official act of George Van Ness, Esq., as a Notary Public for Bexar County.

Letter to C. J. of Bexar in relation to Notary Public.

It appears from the papers, that Mr. Van Ness is exercising the duties of Clerk of the County or Probate Court, as Deputy; and also that he is at the same time acting as Notary Public.

Under the decision of the Attorney General, heretofore made, as to the effect of the 26th section of the General Provisions of the Constitution of the State, he cannot, at the same time, exercise the duties of both offices: and on this account I am inhibited from giving the attestation requested by you.

Please communicate this fact to Mr. Van Ness.

When you shall have remedied this defect, it will afford me pleasure to comply with your wishes.

I am,
Very Respectfully
Your Obt. Servant,

W. D. Miller,
Secretary of State.

State Department
Austin, January 26, 1848.

Messrs. J. Shackelford & Co.,
Houston.

Gentlemen:

You will please order from Lee Brown, for the use of this Office, a Seal Press. It should be of considerable power, and undergrad strong, and is for the purpose of making impressions from the Seal of State. It is desirable to have the same the first opportunity. When you forward it hand me your account.

Order for Seal Press.

Very Respectfully,
Your Obt. Servant,

M. D. Miller,
Secretary of State.

State Department
Austin, January 27, 1848.

To Hon. J. H. Davis,
Attorney General.

Sir:

It is respectfully submitted to the Attorney General whether the decision at a certain day and hour, whether or not treaty formal, be properly made of the treaty text on at the same time are interchanged of a foreign power?

Have the honor to be,
Very Respectfully
Your Obt. Servant,

M. D. Miller
Secretary of State

State Department,
Austin, January 27 1847

To Thomas Chilton Esq.
Chief Justice, Bexar County.

Sir,

Letter to C. S. Boyer in relation to commission.

Herewith enclosed, I forward a copy of the part of the field regulations relative to the appointment of Justices Peace &c. &c.

The appointment of Boyer, Law, Lipscomb, Esq. to which you refer in your note received by Mr. Cochran, could not be received by me coming into the Department, and finding that his Commission had been withheld, I concluded that you had been satisfied of it.

Please receive this as notice of the appointment.

The practice of charging fees, is, to forward a Commission to the Chief Justices of Counties to be by them delivered after the persons interested shall have fully qualified according to law.

No blank forms of writs and warrants have been yet received.

I produce the reason to be the want of an appropriation for the purpose.

I have the honor to be,
Very Respectfully,
Your Obt. Servant,

M. A. Maltby

Secretary of State.

Executive Office,
Austin, January 28th 1848.

To Hon. W. L. Marcy,
Secy of War &c. &c. &c.

Sir,

Letter to Secretary of War.

Having but recently come into office and being much pressed for time in consequence of the accumulation of business from the Legislature now in session, my attention has not, until within a few days past, been directed to the correspondence between the War Department and my predecessor, Governor Henderson, in relation to the ordering into service of troops for the protection of the exposed frontier of Texas against the Indian tribes.

Received, a few days since, a communication from the Captain of one of the Companies now stationed on the head waters of the Trinity, near Red River, informing me that the term of service for which his men enlisted would expire on the 2. day of February, ensuing. This communication was accompanied with petitions from the citizens living upon that frontier, setting forth the dangers to which they would be subjected in the event, the Company was disbanded and praying me to order the same re-mustered. This after some reflection I concluded to do and issued orders accordingly. I find by reference to the correspondence above alluded to, that the powers vested in the Executive of the State, are rather discretionary. This, together with the fact that the Trinity and Red River frontier was in more danger of Indian molestation than any other portion of the State, suggested to me the propriety of the course which I have adopted — and which, under the circumstances I hope will meet your approval.

I designe visiting during the Spring, the various points upon our frontier, with a view of satisfying myself as to the eligibility of the posts now occupied by our troops, their management, discipline &c., —

Should you have any suggestions to make, I will gladly receive them, and it will afford me much pleasure to furnish the Department with any information which I may obtain in relation to our

Indian affairs or the frontier defences.

I have the honor to be,
Very Respectfully,
Your Obt. Servant.

Geo. T. Wood

P.S. The company alluded to is commanded by Capt. Fitzhugh.

State Department,
Austin, January 31. 1848.

Hon. Jesse Grimes,
Chairman Finance Committee of the Senate.
&c. &c. &c.

Sir.

Note to Senator Grimes in relation to fees of office, &c., &c.

I have had the honor to receive your note of to day, requesting, on the part of the Finance Committee to be furnished with any suggestions I might be able to make upon the propriety of charging and collecting fees for official services rendered by this Department for private use and benefit.

In making answer to this request, I would respectfully beg leave to say, that I am clearly of the opinion that such authority given to the Secretary of State by law, would be eminently judicious.

As far as my knowledge extends, this is the uniform practice in the several States of the Union; and I can perceive no good reason why it should not be done here. Certainly, there is no obligation on the part of the State to perform, through its officers, duties pertaining alone to individuals and in which the public are in no wise concerned. Indeed, in a large majority of the cases in which such duties are required, the beneficiaries are residents of other States, or of

foreign countries.

I would respectfully suggest that the Secretary of State be authorized to charge and collect a fee of one dollar for each and every certificate under the State seal he may issue, and twenty cents for every hundred words for recording or transcribing papers or documents on private account.

In some of the States fees are charged upon Commissions, but it would perhaps, not be advisable, at this time at least to make such a provision here.

From the fees above recommended, a fund might be raised for the creation, gradual increase, and support of a State Library at the Seat of Government, which would afford very great facilities to those engaged in the administration of the government and in the business of legislation. Such a library is greatly needed, and it occurs to me that no application of the moneys collected for fees could be made which would be likely to produce more good to the State at large.

I should be exceedingly gratified to see a commencement made in this way at the present session of the Legislature.

I would further suggest, that the Secretary of State might very properly, and without any detriment to the public interests, be allowed to dispose of the surplus copies of the laws and other publications of the late Territory and of the State, upon the application of individuals, at prices not exceeding the original cost of publication; retaining however, a sufficient number of well bound copies on hand to answer the purposes of the Officers of government and the Legislature. By this flaw our surplus statutes could be distributed throughout the country, and at the same time if the proceeds be applied to the library fund, other works of much value might be procured in their place.

It might also be advisable to charge a fee of ten dollars upon commissions sent out of the State to Commissioners, to take acknowledgements of deeds &c. This Office seems to be much sought after, and in this way the library fund might be further increased.

With entire deference, I submit the foregoing hasty remarks, and remain,

Very Respectfully,
Your Ob't Servant,

W. D. Miller,
Secretary of State.

State Department,
Austin, February 8, 1848.

Ira S. Hewitt, Esq.,
San Antonio.

Sir,

The proper Certificate under the State Seal has been made to the power of Attorney from Mrs Ann Bradley to Robert Bibb; and the papers mailed, as you requested, to the latter, at Huntsville, Madison County, Alabama.

Letter to I. S. Hewitt, San Antonio.

The documents, which were returned to the Department some days since, through Col. T. C. Howard, I obtained, had the name of the County Clerk, Mr Addicks, inserted. I accordingly certified to his official character; and further, to avoid inconvenience, as far as possible, I gave a special Certificate that Mr Van Ness had been according to the records of this Office, Commissioner &c. &c. as Notary for Bexar County.

Permit me, very Respectfully,
Your Obt. Servant,

W. D. Miller,
Secretary of State

State Department,
Austin, February 9, 1848

Messrs J. Shackelford & Co., Houston.

Gentlemen,

I have to request that you will forward the accompanying note and memorandum to Messrs. S. M. Brown & Co., New York, with instructions to have books, named therein, forwarded, as soon as possible, to your care.

Very Respectfully, Your Obt. Servant,

Order for books.

W. D. Miller,
Secretary of State.

State Department,
Austin, February 9, 1848

Messrs. J. H. Brower & Co.,
New York,

Gentlemen,

Order for books.

You will please purchase for this Department, two Record Books, of the size and style described in the accompanying memorandum. Have them shipped by first vessel, directed, State Department, Austin, Texas. Care of J. Shackelford & Co., Houston. As this Department has an a/c with that firm, you can advise them of the amount you have debited this Dept., with instructions to collect the same.

Very Respectfully,
Your Obt. Servant,

W. D. Miller,
Secretary of State.

State Department,
Austin, February 11, 1848.

Hon. David S. Kaufman,
U. S. House of Representatives
Washington City.

Sir,

Letter to Hon. D. S. Kaufman, Congressional Publications which it may be possible now to obtain in relation to Texas, &c., &c.

I am very desirous to procure, through the attention of our delegation at Washington, a complete series of all the for the benefit of our State. The present Legislature are about to make some provision (on a limited scale) for the establishment and gradual increase of a State Library, to be connected with and under control of this Department. It would add very greatly

and to the public convenience, if we could be furnished by the United States with a copy of the publications authorized or patronized by them. As yet we have received but the Statutes at Large and the Congressional documents of the First Session of the 29th Congress. If we could obtain a copy of those of the previous and subsequent years, together with the Archives and State papers, and other maps charts &c., which have been published or subscribed for by the United States, and also a copy of the Congressional Globe or Appendix, we should be exceedingly grateful for the donation.

I need not press this matter upon your attention, for I am sure you would be equally gratified with your friends here to be successful in the accomplishment of so great an object for our State.

If you are able to obtain these works, in whole or in part the boxes containing them should be plainly addressed to the State Dep.t, at this place and forwarded to the care of the Collector at Galveston.

Our delegation may of themselves have it in their power to make contributions to our Library. In all such cases it would be properly credited and acknowledged in the reports from this Department to the Legislature.

I have the honor to be,
Very Respectfully,
Your Obt Servant,

M. D. Miller

Secretary of State.

State Department,
Austin, February 12, 1848

Sir,

I beg leave, by direction of the Governor, to respectfully intimate to your Excellency, his very particular desire to obtain, if possible, the printed Constitutions and Laws or decrees of the General Government of Mexico, and those of the State of Coahuila and Texas, previous to the 2d of March, 1836.

Letter to the Civil and Military Governor of Mexico.

These documents will be of very great use and benefit to the Judicial tribunals of this State; and as the present is probably the most favorable opportunity that may for some time exist, to procure them, it is hoped your Excellency will be so obliging as to render this important favor.

The expenses incurred will be cheerfully paid to your order.

The packages sent should be addressed to this Department at this place, by mail or otherwise, to the care of the Collector of Customs at Galveston, to be by him forwarded.

I have the honor to be,
Very Respectfully,
Your Obt. Servt.,

M. D. Miller,
Secretary of State.

To His Excellency,
The Civil and Military
Governor of the
City of Mexico.

(Circular Letter to all the States)

State Department,
Austin, February 14, 1848.

To The Honorable
The Secretary of State of

Sir,

Circular to the Secretaries of the several States.

I beg leave, by direction of the Governor, to respectfully express to you his particular desire to obtain, if possible, the Code or Digest of the Laws, or Statutes at Large, of your State, to be deposited in the State Library.

If it shall be found convenient to comply with this suggestion, I am authorized to assure you, it will be considered a great favor, and be reciprocated on the part of this State at the earliest opportunity.

I have the honor to be,
Very Respectfully,
Your Obedient Servant,

M. D. Miller,
Secretary of State.

Executive Office,
Austin, February 14, 1848.

To Hon. Edward Clark,
Chm. Judy Com.

Sir,

Note to Senator Clark.

In reply to your note enquiring of me what action, if any, was had by the last administration, under the act approved 30th March 1846, authorizing the Governor to make the necessary preparation to transfer to the

United States all Custom Houses &c. I regret that I cannot give you the required information, being unable, upon investigation to find anything in this Department touching the subject.

I would, however, refer you to a communication from the Collector of the Port of Galveston, which accompanied my Message to the Legislature, and which may be had by application to the Clerk of the House. From that communication I inferred that no action had as yet been taken upon the subject above alluded to.

I have the honor to be,
Your Obt. Servt.
Geo. T. Wood

State Department,
Austin, February 19, 1848.

T. A. B. Gray, Esq.

Sir,

Note to A. B. Gray.

I enclose you the Certificate which you wished to obtain, in regard to the time you were employed in the service of the late Republic of Texas, as surveyor, engineer and draughtsman, in running, marking and drawing the boundary line between the said Republic and the United States. This Department can certify only as to the time you were engaged in said duties, as shown by its records and files. The compensation must be ascertained and determined by the proper accounting Officers and the laws governing the case.

It affords me much pleasure to testify to the very great elegance, and apparent accuracy with which the work on your part was executed. The maps and plans of the survey deposited in this Department are the most creditable proofs

of the care and labor which you bestowed upon the work committed to your charge.

I have the honor to be,
Very Respectfully,
Your Obt. Servt.,

W. D. Miller,
Secretary of State.

By the Governor of the State of Texas.
A Proclamation.

Proclamation for arrest of W. D. Epes.

Whereas, I have this day received from His Excellency R. T. Daniel, Lieutenant Governor, of the State of Virginia and acting as Governor thereof, official evidence that William D. Epes, otherwise called Dandridge Epes, is charged with having committed a felony within the County of Dinwiddie in said State of Virginia; by the killing of a certain F. Adolphus Muir.

And, whereas, the said Governor of the State of Virginia has by virtue of the Constitution and laws of the United States made requisition and demanded of me that the said Epes, who has fled from justice and is now within the jurisdiction of this State, should be arrested, secured and delivered up to Benjamin J. Vaughan, deputed for that purpose.

Now therefore, this is to make known that the said Benjamin J. Vaughan is fully authorized to arrest, secure and take into custody and transport and convey to the said State of Virginia the said fugitive. And I do hereby order and require all officers, civil and military, and especially the Sheriffs and Constables of this State or any County thereof to aid and assist the said Vaughan in arresting and securing the person of the aforesaid fugitive from Justice.

In Testimony whereof, I have caused the seal

of the State to be hereunto affixed.

Done at Austin, this twenty-fifth day of February, one thousand eight hundred and forty eight, of the independence of the United States the seventy second, and of Texas, the twelfth year.

L. S.

Geo W Wood

By the Governor:

W. D. Miller

Secretary of State.

State Department,
Austin, February 22, 1848.

To the Honorable The Secretary of State
Of Virginia.

Sir,

By direction of Governor Wood, I have the honor to
Letter to have acknowledge the receipt, by last evening's mail, of the requisition
tary of State of His Excellency the Governor of Virginia, for the person of a certain
Va., in relation William Pendrige Epes, charged with the commission of a murder
to requisition within the said State of Virginia, and alleged to be now a fugitive
for W. D. Epes. from justice within the jurisdiction of Texas.

A few hours previous to the receipt of the requisition referred to above, a similar one had been presented to the Governor by Mr. Benjamin F. Vaughan, in which however it was observed that a discrepancy existed in the name of the individual as written in the demand of His Excellency the Governor of Virginia and in the document affixed

thereto.

But to avoid in the future the authority of this State to be borne the ends of justice, the difficulty was submitted to the Attorney General; and after due deliberation, it was determined to issue the proper Executive writ for the arrest and delivery of the said fugitive, which was done, and he will place in the hands of Mr Langham.

I have the honor to be,
Very Respectfully,
Your obt. Servant,

M. D. Mills,
Secretary of State.

Executive Office,
Austin, February 23. 1848.

To the Attorney General.

Question to Attorney General.

The opinion of the Attorney General is respectfully requested as to whether the accompanying Joint Resolution making an appropriation for the pro rata pay due E. H. Moore, Post Captain, Commanding the late Texan Navy, is such a one as is contemplated by the 8th section of the General Provisions of the Constitution requiring the concurrence of two thirds of both houses of the Legislature to do so in a case of

the early answer is requested
Very Respectfully,
Your, &c. &c.

Geo. W. Ward

State Department,
Austin, February 23, 1848.

To the Honorable,
The Speaker of the House of Repts.

Sir,

In compliance with a resolution of the House of Representatives, of the 11th inst., I have the honor to transmit a copy of the Contract made on the 29th January, 1844, between the President of the late Republic of Texas and Charles Fenton Mercer, for the survey and settlement of a portion of the unappropriated lands thereof, and also, a copy of all the papers or documents of record or on file in this Dept. touching said contract.

Note to the House of Representatives transmitting copy contract &c.

The contract has not been declared forfeited; nor is there any evidence in possession of this Dept., to show that it has not been fulfilled.

I have the honor to be,
Very Respectfully,
Your Obt. Servant,,

W. D. Miller
Secretary of State.

By the Governor of the State of Texas.
A Proclamation.

Proclamation for election of Maj. Genl. Second Divn. T. Militia

Whereas, a vacancy has occurred in the office of Major General of the Second Division, Texas Militia, occasioned by the death of L. H. Mabbitt:

Therefore, I, George T. Wood, Governor of the State of Texas, do order and direct the Chief Justices of the Comities of Harrison, Shelby, San Augustine, Sabine, Rusk, Nacogdoches and Houston, composing said second division, including, also, the Chief Justices of the new counties formed in whole or in greater part out of the before named Comities, to cause an election to be holden in their several counties respectively, on Monday the eighth day of May next, for the purpose of electing a Major General to fill the vacancy now existing in said division; and to that end, they are further ordered and directed to give the proper notice of said election, have the same conducted in accordance with law, and returns thereof duly made to the Governor.

L. S.

In testimony whereof, I have hereto, set my name, and caused the seal of the State to be affixed. Done at Austin, the second day of March, 1848; and of Texian Independence the thirteenth.

Geo. T. Wood

By the Governor:

W. D. Miller,
Secretary of State.

Addressed to Chief Justices of
Shelby, San Augustine, Sabine, Rusk,
Houston, Anderson, Nacogdoches,
Henderson, Smith, Cherokee, Angelina,
Upshur, Panola and Harrison.

Executive Office,
Austin, Dec. 31, 1847.

Gentlemen of the Senate:

I respectfully submit, for the consideration and advisement of your Honorable Body, the following nominations, viz:

Message nominating Notaries Public.

William Killough,	Notary Public	Robertson	County
F. A. Hill,	"	Milam	"
J. C. Reed;	"	Milam	"
A. H. Hemphill,	"	Milam	"
Gwin Morrison,	"	Grimes	"
Henry Tiebout,	"	Leon	"
George B. Halyard,	"	Colorado	"
H. C. Pedigo,	"	Tyler	"
Wm B. Williamson,	"	Polk	"
Wm F. Bowen,	"	Polk	"
Isaac B. McFarland,	"	Fayette	"
Ferdinand Faunthroy,	"	Anderson	"
J. G. Rennie	"	Galveston	"
Seth Ingram,	"	Matagorda	"
Conrad Seabaugh,	"	Comal	"
James P. O'Reiley,	"	Calhoun	"
James D. Shannon,	"	Grayson	"
James L. Atchison,	"	Grayson	"
Wm Benket,	"	Grayson	"
Nicholas Maddox,	"	Grayson	"
Miram Sadler,	"	Lamar	"
Isaiah Fuells	"	Red River	"
B. P. Smith,	"	Red River	"

Geo. T. Wood

Executive Office,
January 14, 1848

Gentlemen of the Senate:

I have the honor to transmit for your consideration and advisement the following nominations, viz:

Message nominating Notaries Public.

Simon W. Kellogg,	Notary Public.	Robertson	County
Cavit Armstrong,	"	Robertson	"
J. C. Strangham,	"	Collin	"
William Perrin,	"	Collin	"
John A King,	"	De Witt	"
Wm A. Holland,	"	Shelby	"
Joseph Lee,	"	Travis	"
R. C. Ballance,	"	Newton	"
James Miller,	"	Navarro	"
Reuben F. Box,	"	Navarro	"
Wm P. McNeil,	"	Cass	"
Matthew S. Mullens,	"	Cass	"
Ferdinand Holcomb,	"	Cass	"
Allen Urquhart,	"	Cass	"
A. M. Holbrook,	"	Titus	"
Thomas J. Rogers,	"	Titus	"
Dudley J. White,	"	Grimes	"
B. B. Goodrich,	"	Grimes	"
Thomas W. Hoy,	"	Montgomery	"
William R. Culp,	"	Cherokee	"
William Bradbury,	"	Austin	"
Samuel T. Lamothe,	"	Austin	"
James McLain,	"	Houston	"
Seldon Tyson,	"	Houston	"
Henry Jones,	"	Titus	"
Byrd W. Gray,	"	Titus	"
Wm S. Johnson,	"	Titus	"
Joseph Gordon,	"	Titus	"
J. W. Cooper,	"	Harris	"

Geo. T. Wood

Executive Office,
Austin, January 17th 1848.

Gentlemen of the Senate:

Message. withdrawing nomination.

Respectfully request of your Honorable Body the liberty of withdrawing the nomination of J. Wilson Cooper, for the office of Notary Public of Harris County.

Since submitting to you his name, I have ascertained that the number of Notaries allowed to that County was full.

Geo. T. Wood

Executive Office.
Austin, January 20, 1848.

Gentlemen of the Senate:

Message. nominating Notaries Public.

I have the honor to transmit to you for your consideration and advisement, the following nominations, to wit:

Franklin Bean,	Notary Public	Smith County
James C. Hill,	"	Smith County
Nathaniel Keelo,	"	Cherokee "
John Brown (Red),	"	Henderson "
Saml. J. Redgate,	"	Colorado "
John C. Arnett,	"	Tyler "
John Henry Brown,	"	Victoria "
Clinton J. Lillard,	"	Cass "
Richard Plumpp,	"	Cass "
Laird M. N. Butler,	"	Galveston "
Lewis C. Chiles,	"	Bauleson "
George S. Young,	"	Red River "
Martin Fulkinight Jr.,	"	Red River "
John V. Potts,	"	Leon "

Geo. T. Wood

Executive Office,
Austin, February 18, 1848.

Gentlemen of the Senate:

Message withdrawing nomination.

I respectfully beg leave to withdraw the nomination of the Hon. Amos Clark, which was submitted to the consideration of the Senate, by my predecessor, Governor Henderson.

Geo T Wood

Executive Office,
Austin, Feby 21, 1848

Gentlemen of the Senate:

Message nominating Pilot Commissioners.

I have the honor to submit for your consideration and advisement the following nominations, viz:

S. S. Jones
J. J. Hendley } Commissioners of Pilots for the port of Galveston.

G. L. Peacock,
James Rose,
W. Rowlett,
Thomas Wilson
Edward Clegg, } Commissioners of Pilots for the port of La Vaca.

Geo T Wood

Executive Office,
Austin, Feby 21, 1848.

Gentlemen of the Senate:

Message correcting nomination.

Among the list of nominations which I had the hon to submit to the Senate on the 20th Ultimo, was the name of John Henry Brown, as Notary Public for Victoria County. I have since learned that the nominee resides in Calhoun County, and respectfully request the Hon. Senate to confirm his nomination as Notary for that County.

Geo. T. Wood

Executive Office,
February 23, 1848.

Gentlemen of the Senate:

Message nominating Judge of first District.

I respectfully submit for the consideration and advisement of your honorable body, the nomination of Joseph C. Megginson, as Judge of the first Judicial District.

Geo. T. Wood

Executive Office,
Austin, Feby 25, 1848.

Gentlemen of the Senate:

I have the honor to submit to your consideration the following nominations, to wit:

Mesag nominating Notaries Public.

F. W. Frazier,	Notary Public.	Fort Bend	County
Abraham Lee,	"	Austin	"
Silas B. Hart,	"	Henderson	"
Henry S. Garlick,	"	Galveston	"
Charles H. Duncan,	"	Dallas	"
James L. Ewing,	"	Angelina	"
John H. O. Smith,	"	Harris	"
John Levy,	"	Harris	"
J. E. McClellen,	"	Fannin	"
Napoleon B. Jones,	"	Harrison	"
John W. Mann,	"	Harrison	"
Edwin Cater,	"	Harrison	"
Elbert E. Smith,	"	Harrison,	"
Micajah Johns,	"	(Micajah Johns)	Panola Co.
Alexander Birdsong,	"	Panola	"
Lewis Reed,	"	Upshur	"
William Voltern,	"	Upshur	"
Alexander Farmer,	"	Galveston	"

Wm. F. Ward

Executive Office,
Austin, Feby 26th., 1848.

Gentlemen of the Senate:

Message nominating Judge of tenth District.

I respectfully submit for the advice and consideration of the Honorable Senate, the nomination of Fielding Jones, as Judge of the tenth Judiciae District.

Geo T. Wood

Executive Office,
Austin, March 2, 1848.

Gentlemen of the Senate:

Message nominating Judges of Sixth and Ninth Districts.

I have the honor to lay before you for your consideration and advice, the following nominations, to wit;

Lemuel D. Evans as Judge for the Sixth Jud. District,
and
Spruce M. Baird, as Judge for the Ninth Jud. District.

Geo T. Wood

Executive Office,
Austin, March 2, 1848.

Gentlemen of the Senate
And House of Representatives;

Message in relation to the Santa Fe territory.

In the general Message which I had the honor to lay before the Legislature at the commencement of the session, I did not advert specifically to the north-western portion of our State, including Santa Fé, for the reason that my recent induction into office afforded me no time to investigate the subject, or to inform myself fully as to the condition of that territory.

Since that time, however, events have transpired which cannot fail to awaken an interest and direct attention to that quarter of our frontier.

Credible information has reached the Executive, that a State Government, exercising civil jurisdiction, has recently been established in Santa Fé, within the legitimate and acknowledged boundaries of Texas, and that measures have been taken to call a Convention of the people of that district for the avowed purpose of framing a State Constitution, preparatory to its annexation to the United States.

The Executive has given to this subject that consideration which its importance demands; and in submitting it to the Legislature, with the facts in his possession relative to the present condition of Santa Fé, and the late proceedings of the acting authorities there, he feels assured of the concurrence and co-operation of your honorable body in maintaining the right of Texas to every foot of her territory:

It appears that the establishment of a separate and independent State Government in Santa Fé has the sanction of the authorities of the United States Government, acting in that quarter, and under whose protection all New Mexico is at this time placed, through the General Government has disclaimed all right to that territory, and has repeatedly recognized the right of Texas to that portion of it lying east of the Rio Grande.

Upon the commencement of hostilities between the United States and Mexico, General Kearney was despatched with a requisite force to Santa Fé, with instructions from the General Government to take possession of the country, and establish a

military government, for the preservation of order and the protection of the rights of the people on that portion of the Texas frontier. A question arose as to the right of the General Government to exercise a jurisdiction over that portion of our State. My predecessor, Governor Henderson, being unapprised as to the purposes and ultimate designs of the General Government, and doubting the justice of the jurisdiction which she was exercising, addressed a letter to the Secretary of State at Washington, under date of 4th of January, 1847; enquiring of the President "whether the proceedings of General Kearney, were authorized or sanctioned by the General Government?" He also desired to be informed "if the General Government claimed any portion of the territory lying East of the Rio Grande and embraced within the limits of Texas, as declared by an Act of Congress, passed in December, 1836, to the exclusion of the claim of the State of Texas to the soil and jurisdiction over the same?" In reply to these enquiries Mr. Buchanan, Secretary of State, in a letter dated at Washington 12th of February, 1847, asserted "that the occupation of New Mexico by the troops of the United States was temporary, and that the government over it was military in its character, merely such a government as must exist under the laws of nations and of war, to preserve order and to protect the rights of the inhabitants, and that it would cease on the conclusion of a treaty of peace with Mexico." "Nothing therefore," Mr. Buchanan concludes, "can be more certain than that this "temporary government resulting from necessity, can never injuriously affect the rights which the President believes to be justly asserted by Texas, to the whole territory on this side of the Rio Grande, whenever the Mexican claim to it shall have been extinguished by treaty."

These assurances, on the part of the President of the United States, were satisfactory as regarded the recognition, by the General Government, of the right of Texas to all the territory embraced within the boundaries prescribed by law. But the late movements in Santa Fè, the establishment of a civil government independent of Texas and the contemplated convention of the people of that territory for the purpose of annexing it to the United States, encouraged and supported by the Officers of the United States, as it appears, I conceive to be at variance with the professions of the President, and dangerous to the rights and interest of the State.

The right of Texas to every foot of soil, within her limits, as prescribed by our laws, is no question with us. We have uniformly asserted and have always been able to maintain it. The Independence of Texas, with her territorial limits as defined by law in 1836, was acknowledged by the United States and the principal powers of Europe. The compact of annexation did not invalidate our title to any portion of our territory, nor has any thing transpired since our incorporation into the United States, or during the pendency of the war with Mexico to impair that title.

It cannot be presumed that the occupation of Santa Fé by troops drawn from other States could prejudice, in the least, our right to the territory; for had the Texas troops been ordered there instead of being sent to another quarter, they would have been amply sufficient to occupy the whole of that country and to hold it in peaceable possession; in which event the establishment of a separate government in Santa Fé would have never occurred, and the projected dismemberment of our State (to which Texas will never submit) would not have been heard of. As a silent acquiescence in the late movements in Santa Fé might be construed into a submission to unauthorized encroachments, I respectfully recommend to the honorable Legislature the propriety of taking some legislative action upon the subject, in order that our delegation in Congress may feel authorized and instructed to remonstrate and protest, if necessary, against the infringements of our rights, or the usurpation of our territory. Our Senators may be instructed to enquire into the policy and orders of the President, concerning the establishment of a government in Santa Fé, and they may be further instructed to oppose the ratification of any treaty in which it is not expressly stipulated that the boundaries of the State, as previously defined by the laws of the Republic of Texas, be recognized. I would, also, suggest to your honorable body the necessity of taking suitable legislative action for the immediate enforcement of our civil and political jurisdiction over that portion of Texas including Santa Fé. To effect this object, the Executive will cheerfully co-operate with you by carrying out such measures as you may deem proper to adopt.

Geo. Wm. Wm

Executive Office,
Austin, March 3, 1848.

To the Honorable the Senate:

Message nominating Adjutant General.

I respectfully submit for the consideration and advice of the Honorable Senate, the nomination of John D. Pitts as Adjutant General of the State.

Geo. T. Wood

Executive Office,
Austin, March 6, 1848.

To the Honorable the Senate:

Message nominating Notaries Public.

I respectfully submit for the consideration and advice of your Honorable Body, the following nominations, to wit:

James P. O'Reily,	Notary Public	Matagorda	County
Wm. L. Bush,	"	Brazoria	"
Alfred L. Murry,	"	Milam	"
Reuben H. Roberts,	"	Henderson	"
Wm. C. Pitts,	"	Hays	"
Edward A. Weyman,	"	Cameron	"
Angelo Cantici,	"	Medina	"
Allen Farquahar,	"	Calhoun	"
William Kincaid,	"	Polk	"
Hansel Coburn,	"	Houston	"
Josiah W. Wells,	"	Red River	"

Geo T. Wood

Executive Office,
Austin, March 11, 1848.

Edward A. Weyman, Esq.

Sir,

Letter to E. A. Weyman.

Your communication of the 15th ultimo has been received, and in reply, state that I do not conceive that I have any right or power to make a requisition to the extent you desire.

It is impossible for me to know what and how far the rights of others may be involved in the matter.

I have however requested Col. Davenport or rather authorized him, leaving it to his discretion to deliver up the papers, connected with the estate of your wife's husband to the Clerk of the District Court of Nueces County or his order to be transferred by him to the Probate Court of the proper County when organized. That Court having facility of information and evidence not in the possession of the Executive, can then place you in possession of these papers if it shall seem just.

Hoping that this course will result in no injury to your rights or inconvenience to you personally.

I have the honor to be
Your Obt. Servant.

Geo. T. Wood

Executive Office,
Austin, March 11, 1848.

To H. P. Brewster, Esq.

Sir,

Appointment of Private Sec'y.

You are hereby appointed Private Secretary to the Governor of the State.

Very Respectfully,
Your Obt. Servt.

Geo. T. Wood

Executive Office,
Austin, March 11. 1848.

Col. Wm. Davenport,
Commanding at Matamoras,
Mexico.

Sir,

I have the honor to acknowledge the receipt of your favor of the 15th ult., in regard to the disposition that ought to be made of the Stricker Estate.

Letter to Col. Davenport, Matamoras.

I do not feel myself authorized to appoint an agent to receive the papers and effects in question, or to require Mr. Grimm, who has them in possession, through you to deliver them up.

I deem it my duty, however, to suggest in order that justice may be done between the parties interested and that the rights of the children of the deceased may be properly protected by our laws that it would be advisable for Mr. Grimm to deliver the papers and effects in his charge into the custody of the Clerk of the District Court of the County of Cameron, or the County west Matamoras on the Texas side of the Rio Grande.

The receipt of the Clerk will doubtless be ample security to Mr. Grimm under our laws, for the delivery: and in this way only the laws of the State can have their due force and operation over the property, debts and claims of the said estate.

You will oblige me by making known the suggestion to Mr. Grimm or other persons having charge of the effects above referred to. I am satisfied it will be the best course for him to pursue, and to meet the ends of justice.

I have the honor to be,
Very respectfully,
Your obt. Svt.

Geo. H. Woods

Executive Office,
Austin, March 11, 1848.

To the Clerk of the
District Court of Travis County.

Sir,

There are certain papers at Matamoras pertaining to the estate of John Shiver, deceased, which the Department has been advised will be transmitted up to Austin, in order to proper persons authorized to receive and receipt for the same.

Letter to Clerk of District Court, Travis, in relation to papers of Shiver's estate.

I have requested Capt. S. Rainsford, commanding at that place to deliver them to you or your agent when you receive them you will receipt accordingly and hold them until the County is organized to which they properly belong and then transmit them to the Chief Justice of the Probate Court thereof.

I am, very respectfully,
Your Obt. Servant.

Geo. W. Wood

Executive Department
Austin, March 11, 1848.

Captain S. B. Ross.

Sir,

In pursuance of the order of the Honorable Secretary of War, you are hereby appointed Major S. B. Ross to command the escort to Santa Fe and escort your company and to in company service and return and present the bearer accounts for pay of Rangers.

Order to Capt. Ross to command the escort to Santa Fe.

Respectfully, Your obt. Servt.

Geo. W. Wood

Executive Office
March 13, 1865

Gentlemen of the Senate:

I have the honor to inform you that I have nominated and by and with the advice and consent of the Council do appoint Alvan Ellis Secretary of State, to take effect for one year from the 7th day of May next.

Yours truly

Executive Office
Montpelier, March 13th 1865

Gentlemen of the Senate:

I have the honor to inform you that I have nominated and by and with the advice and consent of the Council do appoint the following gentlemen Justices of the Peace, viz:

Isaac Mason,	Stephen C. Bond	Jonathan Kenney
Daniel Mason,	Geo. Lindsley	Edward
Roy C. Collins	Geo. P. Walker	Lyman
Peter Mason		Edwin
Martin Mason,		Lewis
Jeremiah Barrett		Jesse
Thomas Cummings		Peter
Geo. W. Cummings		Nathan
Thomas J. Cummings		Geo.
Thomas C. Wilson		Jos. Page
Isaac M. Mason.		Solomon

Exchequer Office,
Dublin, March 16. 1838.

Gentlemen of the Treasury.

I have the honour to lay before you, for your information, a copy of a letter from the Commissioner of Stamps, in which, in pursuance of your directions, I have stated the circumstances of Sir Thomas Fremantle's case.

Wm. Fund

Exchequer Office,
Dublin, March 9th 1838

Gentlemen of the Treasury

I have the honour to enclose for your information a copy of a letter which I received from the Commissioner of Stamps, in the case of Sir Thomas Fremantle, Bart.

Your obedient servant

Wm. Fund

Executive Office,
Austin, March 17, 1848.

Gentlemen of the Senate:

I have the honor to submit for your advice and consent the following nominations, viz:

Message nominating Notaries Public.

Silas B. Hart and Reuben A Roberts, for Notaries Public of Henderson County;
Micajah Goodwin, for Notary Public of Dallas County.

I have the honor to be &c.

Geo. T. Wood

Executive Office,
Austin, March 17, 1848.

Gentlemen of the Senate:

I have the honor herewith to submit for your advice and consent the following nominations, for Commissioners, to select a proper site whereon to erect a Penitentiary, viz;

Message nominating Commissioners to locate the Penitentiary.

John Brown (Red) of Henderson County;
William Palmer, of Walker County;
William Menifee, of Fayette County.

Geo. T. Wood

Executive Office,
Austin, March 18, 1848.

Gentlemen of the Senate:

I have the honor to submit the name of Samuel C. Lyons, for Commissioner of Pilots at the mouth of the Brazos River, for the advice and consent of the Senate, under the provisions of an act approved this day.

Message nominating Pilot Commissioner.

I have the honor to be &c

Geo. T. Wood

Executive Office,
Austin, March 20, 1848.

Gentlemen of the Senate:

I have the honor to submit for your advice and consent the name of Abner H. Cook, as Superintendant of the Penitentiary.

Message nominating Superintendant of Penitentiary.

I have the honor to be,
Very Respectfully &c.,

Geo. T. Wood

Executive Department,
Austin, March 17, 1848.

To Henry O. Hedgecoxe, Esq., Agent &c.,

Sir,

I have the honor to acknowledge the receipt of your favors of the 11th and 29th Ultimo.

Letter to H. O. Hedgecoxe, agent for Peters' Colony.

It is not conceived that the construction placed by you upon the alleged Contract, so far as to require the interposition of this State to remove the Indians within the limits of that territory claimed by your Contract, is correct, at least, so long as the Indians remain above the present designated line of their possession.

The Contract if so it can be called, was made at a time when the Indians were to a greater extent than at this time the masters of the territory included within the limits and of course was made with reference to the existing state of things. The parties when they entered into the contract were aware of the difficulties surrounding it and took it with its burthens.

It is not conceived that this State is in any manner bound to extend unusual protection to your Company in the prosecution of their ends.

Your complaint in regard to surveys made by District and Deputy Surveyors to satisfy the claims for land against the Government of Texas within the limits of the Colony claimed by your constituents, cannot be properly entertained by this Department. Your remedy is in the Courts of the Country.

Neither has this Department the power, if it had the disposition, to discontinue the suit instituted to annul your contract. The Ordinance adopted by the Convention of the State required this suit among others of a like class to be instituted and whatever false position it may place parties in, it is not less the duty of the State to carry out its requirements.

Your request in regard to the designation and assignment of other territory for the purpose of colonization is equally out of the power of this Department to grant. Had your communications arrived at an

earlier day I should have laid them before the Legislature of the State for their action, taking occasion at the same time respectfully to intimate doubts of the power even of that body, under the Constitution, to make the concession asked for.

In conclusion and for the purpose distinctly of acquainting you with the attitude in which the State of Texas stands in regard to your Contract I have the honor to say that suit having been instituted to annul the Contract under which you claim, the entire subject matter of it is in the hands of the Judiciary.

I have the honor to be,
&c. &c. &c.

Geo. T. Wood

Executive Department,
Austin, March 20. 1848

To Charles S. Mann, Esq.,
Adjt General, ad interim.

Sir,

Notification to Adjt. Genl., ad interim, of the appointment of his successor.

I have the honor to inform you that John D. Pitts, Adjutant General, elect, has been qualified as the law directs, and is now ready to enter upon the duties of his Office.

You will therefore, be pleased to give him possession of the Office and keys.

Very Respectfully, &c. &c.

Geo. T. Wood

Note. — Of same tenor and date to Col. Thos. Wm Ward, Comp. &c. &c., in favor of Hugh W. Smith.

Executive Department,
Austin, March 21. 1848.

To His Excellency,
S. L. Martin,

Sir,

Your requisition for John M. Lewis, a fugitive from justice has been placed before me by Dr. M. Francis, the Agent on the part of the State of Alabama to receive him.

Letter to the Governor of Ala. in relation to his requisition for &c.

The peculiarity of the case has induced the Executive to give to the consideration of it more than ordinary care and attention.

Had the individual demanded by your Excellency fled from justice and took refuge in Texas since her annexation there would not be a doubt in the mind of the Executive of Texas, of the right of the State of Alabama to demand him and the obligation of Texas to surrender him.

The offence was committed, and John M. Lewis had under the Constitution and laws of the late Republic of Texas become invested with all the rights of a citizen thereof long before the act of annexation by which the relations arose authorizing a demand in such a case.

A proper regard for the rights of those who were citizens of the late Republic of Texas will not permit the Executive unconditionally to surrender the individual demanded in this instance.

But while entertaining these opinions, the Executive of Texas felt authorized to go so far as to have J. M. L. arrested, and brought before our Supreme Court now sitting, by whose determination in this behalf he would feel himself constrained to do thus much originated in a respectful regard for the laws and institutions of a sister State, and by this means to have a vexed question judicially settled.

This proposition Mr. Francis, declined for reasons which he will no doubt communicate to your Excellency.

I have the honor to be, with high regard and consideration.

Tom. H. Mell

Executive Department,
Austin, March 22, 1848.

To Charles Mason, Esq.,

Sir,

I was directed by His Excellency, the Governor, to request that you would remain in charge of the Auditors Office.

Note requesting C. Mason to continue in charge of Auditor's Office

He defers making a permanent appointment until his return.

I have the honor to be,
Very Respectfully,
Your Obt. Servt.

A. P. Bowlden

Private Secretary.

Executive Department,
Austin, March 23, 1848.

To His Excellency, James K. Polk,
President &c. &c. &c

Sir,

The Legislature of the State of Texas, at its session just closed, passed laws to organize into a County the territory of Santa Fe, and to establish therein a Judicial District, and rumors have reached this State of an attempt to establish there a separate government, it is apprehended that impediments may be thrown in the way of the contemplated organization. In view of such a contingency the Legislature of Texas, made it the duty of the Executive by the enclosed Joint Resolution to request your Excellency to issue orders to the Military Officers stationed in Santa Fe to aid the

Letter to President Polk in re of Santa Fe

Relation to Santa Fe.

Officers of Texas in organizing the County of Santa Fé and the eleventh judicial district of the State of Texas, and in enforcing the laws of this State if it should be necessary to call upon said officers of the United States to put down any resistance to the laws of Texas.

I have the honor therefore, to request that your Excellency will issue to the Military Officers of the United States stationed in Santa Fé, orders conformable to the views of the enclosed Joint Resolution and to the end that the State of Texas may in no wise be embarrassed in the exercise of her rightful jurisdiction over that territory.

I have the honor to be, with high consideration,

Your Excellency's
Obt. Servant.

Geo. T. Wood

State Department,
Austin, April 5, 1848.

To Wm. K. Elliott, Esq., Contractor &c.

Sir,

I write you a line to say that I shall expect you to be in Houston, without fail, at the time you proposed, that is from the 25th to the 30th inst., to receive the laws for distribution throughout Eastern Texas. You must prepare to do it within the thirty days to which you are limited, from the time you commence the work.

You will be furnished at Houston, with a list of the Counties, to be supplied; and you can there enter into a written agreement. The amount allowed you cannot exceed four hundred dollars.

I am, very Respectfully, Your Obt. Serv.;

W. D. Miller,
Secretary of State.

Letter to W. K. Elliott in relation to distributing laws.

Executive Department,
Austin, April 5, 1848.

To John Brown (Red), William Palmer and
William Menefee, Esquires.
Commissioners &c. &c.

Gentlemen,

Letter to Commissioners to locate Penitentiary.

Herewith I have the honor to transmit a copy under the Certificate of the Secretary of State of "An Act to establish a State Penitentiary;" to select a proper site for the erection of which, you have been appointed Commissioners.

You will be governed in the discharge of the duty assigned you, by the provisions of the same. Should it be deemed advantageous to make any contract in reference to the use of water power adjacent to and connected with the place selected, you are authorized so to do, subject to the approval of the Executive. And should any such contract be made you will report together with your other proceedings under this Commission, the probable amount of power to be obtained — the adaptabilities thereof — its distance from the site selected and the natural facilities convenient thereto to make it available. And in order that there may be as little delay as possible in the prosecution of the work. It is hoped that the Commissioners will report at as early a day as practicable consistent with a proper exercise of their trust and the interest of the State.

I have the honor to be,
Very Respectfully,
Your Obedient Servant.

Geo T. Wood

State Department,
Austin, April 12, 1848.

Hon. L. H. Gidion,
C. J. Cherokee County.

Sir,

I am obliged to you for your note of the 27th March, just received.

I have examined into the appointment of Mr. Keels as Notary, as far as the books of this Office will show the facts; and I find that on the 9th of May, 1846, Mathew Killough was confirmed by the Senate, under appointment or nomination of Gov. Henderson, as Notary for Cherokee County, and also that on the 22d day of June, 1846, a commission was issued to him as such.— I presume however, that it was issued to Mathew instead of Nath'l. Keels, (or Killough). His Commission will tell. If he was commissioned as Matthew perhaps he had better resign his former appointment and qualify under the last and receive the Commission in your hands. If, however, he has been once regularly commissioned, I consider it optional with him whether he will continue to act under the former or more recent appointment.

Letter to C. J. of Cherokee, in relation to appointment of Notary Public.

I have the honor to be,
Very Respectfully,
Your Obt. Servt.,

M. D. Miller.
Secretary of State.

State Department,
Austin, April 13, 1848.

J. B. Wilmeth, Esq.,
Buckner, Collin County.

Sir,

By to night's mail I had the honor to receive your note, enclosing the resolutions of a meeting of the citizens of Peters' Colony; and I hasten to say in reply, that the transcripts from this Department will be furnished at the earliest practicable moment. I believe the documents to be copied however, are voluminous, and consequently some considerable time will be required for the accomplishment of the work.

Note to J. B. Wilmeth in relation to copy of record.

I have the honor to be,
Very Respectfully,
Your Obt. Servt.,

W. K. Miller,
Secretary of State

State Department,
Austin, April 14, 1848.

Hon. S. B. Green,
Secy of State — Little Rock.

Sir,

I have the pleasure to acknowledge the receipt, on the 4th inst., of a copy of the Revised Statutes of Arkansas, for which I beg leave to present the thanks of this State.

I am obliged to you for the suggestion that nothing has yet been received by your State from Texas. The oversight shall be remedied, as far as may be in our power, at an early day.

I have the honor to be, Very Respectfully, Your Obt. Svt.

Letter to Secy of State of Arkansas.

W. K. Miller,
Secretary of State.

State Department,
Austin, April 14, 1848.

Hon. W. B. Calhoun,
Secretary of State,
Boston.

Sir,

It is with very lively pleasure that I acknowledge on behalf of this State, the receipt, of a complete copy of the Revised Statutes of Massachusetts, which came to hand by the last mail, in good condition.

Letter to Secy of State of Mass.

It will be carefully preserved in the State library as an acceptable memorial of the good will and courtesy of an elder sister of the American Family.

I have the honor to be,
Very Respectfully,
Your Obt. Servant,

W. D. Miller,
Secretary of State.

State Department,
Austin, April 14, 1848.

Hon. Samuel Stamps,
Secy of State, Jackson, Miss.

Sir,

I have the pleasure to acknowledge, by direction of Governor Wood, the receipt of one Copy of Howard and Hutchinson's Revised Statutes of Mississippi, which came to hand a few days ago in good condition.

Letter to Secy of State of Miss.

Tendering through you to the State of Mississippi the thanks of Texas for this evidence of good will and courtesy.

I have the honor to be, Very Respectfully, Your Ob. Svt.,

W. D. Miller,
Secretary of State.

State Department,
Austin, April 15, 1848.

(Circular to Assessors and Collectors of Taxes.)

Sir,

On the opposite side of this sheet, you will find a copy of the law of the last Legislature, in regard to the enumeration of the inhabitants of the State for the present year, and also, the form which you will please observe in making out your returns.

Circular instructions to Assessors in relation to the Census &c.

It is not necessary, that the said returns should contain the names of the several heads of families, or other persons enumerated.

All free white males, twenty one years of age and upwards, must be enumerated in the column for electors, and also in the other columns, according to their respective ages. This is absolutely necessary to a correct classification and full return of the actual population. The column for electors, or voters, is not intended to embrace a separate portion of the population — but only to show how many voters are included in the other classifications. Neglect or oversight in this particular, was the cause of manifest and important errors in the census returns of 1847, made to this Department. The hope is indulged, that no such errors will be discovered in the returns of the present year.

The return must be made under the oath and signature of the Assessor; and one copy deposited in the County Clerks Office, on or before the second Monday in November next, and the other transmitted by mail, or some other safe conveyance to this Department.

I would respectfully add my request to that of the Comptroller, that, in taking the census you would make use of the opportunity to obtain also, certain statistical information concerning the manufactures, agricultural products &c. &c., of your County, as specified in the circular and form which will be forwarded from the Comptroller's Office. Your agency in procuring information so desirable, and in many accounts so valuable, will be duly appreciated.

I have the honor to be, very respectfully, Your obt. Servt.

W. D. Miller,
Secretary of State.

State Department,
Nashville, April 16. 1848

To Messrs. Brown & Farber,
Gentlemen,

Letter of instructions to Brown & Farber, contractors to distribute laws.

Your proposition for the distribution of the laws of the last session of the Legislature among the several counties of the Family-line, having been accepted on the first instant, and you having been notified of the same, I have directed the Clerk of this Department, Mr. Marriner, who will be in Nashville, to deliver to you upon your executing your bond, my official obligation to pay you the stipulated amount for the service to be rendered, and upon your performing the same in accordance with your agreement.

Mr. Marriner, will deliver you the laws for distribution in separate packages addressed to the respective County Clerks to whom they are to be delivered.

You will be furnished with blanks of instructions to each County Clerk, together with printed receipts or blanks to be filled up and signed by the County Clerk on delivery to him of the laws. One of these receipts you will retain, and the other will be forwarded by mail to this Department.

The following are the counties to whose County Clerks you will deliver the laws entrusted to you for distribution, to wit: (including all the Counties, except Stewart, Cobb and Harrison)

W. A. Miller
Secretary of State.

To William H. Elliott, Esq. (of Shelby County)

(Same Correspondence date as above - for distribution of the Laws to all the Counties east of the Family).

State Department,
Austin, April 11, 1848

To Wm. H. Elliott, Esq.,
Shelby County.

The undersigned, Secretary of State, hereby stipulates and agrees to pay to William H. Elliott, of Shelby County, the sum of four hundred dollars, upon the state bounty fee belonging to the said Secretary of State, the receipts of the respective County Clerks of the several counties whose County rolls are located wholly or in part, according to the number of names furnished to said William H. Elliott, or increasing of said County, shall have been fully organized, then the receipt of some proper and duly authorized citizen receiving the same concurrent fees within the said organized Counties, and as near as may be to the probable County seat thereof, who shall in said receipt engage to deliver the same to the County Clerk as soon as elected; that provided the said Wm. H. Elliott shall distribute the said laws to the said Counties, named in his said indorsement, and deliver the same to the County Clerks of the said several Counties, within thirty days from the time he shall receive the same for that purpose as stipulated.

W. S. Miller

Contract with W. H. Miller to distribute laws.

This is to be delivered to the Secretary of State, together with the receipts above named, when hereunto is demanded.

W. S. Miller

To Hon. Thos. Pease, Comptroller
Texas.

(Office Comptroller Texas, April 11, 1848. Filed in the Comptroller's Office this day.)

State Department,
Austin, April 20, 1848

(Circular)

To the Clerk of the County Court of _____

Sir,

There will be delivered to you herewith, a package containing _____ copies of the general and _____ copies of the special laws of the second State Legislature; for which you will please fill up and sign the accompanying receipts in duplicate, one of which will be handed to the person delivering the laws, and the other remitted by mail to this Department. The receipts should bear date the day on which the laws are actually delivered at your Office.

Circular instructions to Co. Clks. in relation to distribution of laws and journals.

You will carefully retain the Special Laws in your office for public use and inspection, with the exception of a copy to each of the members of the Legislature from your County. One copy must however, under all circumstances, be kept on hand.

The General Laws will be delivered on application as follows, to wit:

One copy to each member of the Legislature.
" " " the Judge of the District Court.
" " " " District Attorney.
" " " " Chief Justice of the County.
" " " " District Court Clerk.
" " " " County Court Clerk.
" " " each County Commissioner.
" " " " Notary Public.
" " " " Justice of the Peace.
" " " the Sheriff.
" " " " Coroner.
" " " " Assessor and Collector of Taxes.
" " " " County Treasurer.
" " " " County Surveyor
" " " " Major General of Militia.
" " " " Brigadier General.
" " " " Adjutant and Quartermaster General.
" " " each Major.

The Journals of the first and second Legislatures will be forwarded by mail (postage paid) to your address, immediately upon their publication; and you will deliver a copy thereof on application.

To each member of the Legislature.
" the Judge of the District Court.
" " District Attorney.
" " Chief Justice of the County.
" " Clerk of the District Court.
" " Clerk of the County Court.

On delivery of the laws or journals to any person entitled to them, you will require a receipt, specifying particularly therein, what laws are delivered, the office held by the person to whom they are delivered, that he has not received the same from any other source, and that he will deliver them to his successor in Office.

I would respectfully suggest the advantage of keeping a book in your office, in which all receipts of this nature may be entered. This would enable you, at any moment, to ascertain what officers of your County have been supplied, and the contrary.

A copy of the laws of the United States will be forwarded by mail, as soon as received at this Department. The United States laws, like the special laws of the State, must be carefully preserved in your office.

I have the honor to be,
Very Respectfully,
Your Obt. Servant.

M. D. Miller,
Secretary of State.

(Circular to County Clerks)

State Department,
April 22, 1848.

To County Clerk of _____ County.

Sir,

I send you herewith, (postage paid) a copy of the general laws passed by the last Legislature. As soon as the index can be prepared and printed, the whole number to which your county may be entitled will be forwarded to you, with the utmost despatch, through a distributing agent.

Circular to Co. Clks. transmitting copy of laws first published.

Very Respectfully,
Your Obt. Servant,

W. D. Miller,

Secretary of State.

State Department,
Austin, May 1. 1848.

To J. H. Brower, Esq.,
New York,

Sir,

A box or package of books may be sent to your care from Virginia to be forwarded to the Governor of Texas. Please give it your attention, and send your bill to Messrs Shackelford & Co., Houston.

Letter to J. H. Brower in relation to forwarding books.

I am very Respectfully,
Your Obt. Servant,

W. D. Miller,

Secretary of State

State Department,
Austin, May 1, 1848.

Hon. W. H. Richardson
&c. &c. &c
Richmond, Va.

Sir,

In reply to your inquiry, of the 31st March last, as to the best mode of forwarding such books &c, as the State of Virginia may be disposed to send to this State, I have the honor to suggest that any box or package, addressed to the Governor of Texas, through the care of J. H. Brower & Co. New York, will come safely and speedily to hand.
Messrs. J. H. Brower & Co., will be requested to forward through the usual channel.

Letter to Sec'y of State of Va.

I am,
Very Respectfully,
Your Obt. Servant,
M. D. Miller,
Secretary of State

State Department,
Austin, May 1. 1848.

Tho. C. Bunsler, Esq.,
Galveston;

Sir,

In reply to your note of the 18th ultimo, I have to say that after a full examination, I have not been able to ascertain that the bill, to provide for ceding to the United States, jurisdiction over the lands required for the erection of light houses &c, on our coast, ever passed through both branches of the Legislature. It passed the House, but not the

Letter to Tho. C. Bunsler in relation to acceding jurisdiction &c.

Senate. The endorsements on the original bill in the archives of the Senate, are as follows:

Read 1st time Jan. 19, 1848

" 2d " " 21, "

Ordered to be engrossed, Feby 7.

Engrossed " " 8.

Geo. A. Pike, Eng. Clk. S.P.

Read 3d time Feby 10, 1848, and passed.

Ben. F. Nice, Chf. Clk. S.P.

[In Senate] Read 1st time Feb. 18, 1848.

" 2d " " 19 " and referred to Com. on State Affairs.

The journals of the Senate show that this reference was made to the Committee on State Affairs on motion of Mr. Williamson; but they do not show that the bill was ever reported back to the Senate by the said Committee, or any other.

I have the honor to be,
Very respectfully,
Your Obt. Servant,

H. D. Miller,
Secretary of State.

Executive Office,
Austin, May 2. 1848.

Hon. R. H. Staunton,

Sir

Your favor of 30th March, covering a duplicate Letter to Mr. Miller during after it had been received, and thanks Staunton for the attention attributed to it for the advance of the relation of Mr. Miller from the chair of Ways and Means.

The Legislature altho' it authorized the Executive of the State to procure and have set up a set of weights and measures, did not place any appropriation at his disposal for that purpose, on which account he regrets exceedingly that he is unable to give any definite instruction in regard to the matter. Mr. Stephen Leather, of Galveston, has proposed to the Executive to furnish a room suitable for them at Galveston and to undertake the superintendence of them in relation to his proposition. I am in the same dilemma as already stated. I have however thought proper and consistent Galveston as the most suitable point for the weights and measures to be set up and if Mr. Leather will provide the necessary facilities and a proper place for the purpose you will please see them up and place them in his charge and instruct him in the mode of using them.

I have the honor to be,
with high respect,
Your ob't servant,

Jth. T. Floyd

Executive Office,
Austin, May 3, 1841

Col. P. H. Bell,

Sir,

I have the honor to acknowledge the receipt of your favor of the 28th ult. in relation to our Texian Indian Agency.

Letter to Col. P. H. Bell in relation to Texian defence, &c.

The Secretary of Indian Affairs has laid the Executive instructions of a recent date on this subject before the subject of your communication.

I am thoroughly impressed with the correctness of your views in regard to the importance, expediency and necessity of a due attention to our Indian relations.

I however, have no power to appoint even temporarily an Agent, but will communicate with the War Dep^t. at an early day upon the subject.

I have the honor to be,
Very Respectfully,
Your Obt. Servant.

Geo. T. Wood

Executive Office,
Austin, May 3, 1848.

To Citizens of Navarro County.

Letter to the Citizens of Navarro County in relation to the Indians.

Gentlemen,

I have the honor to acknowledge the receipt of your communication of the date of 31st March last. Earlier attention should have been bestowed upon it but for the absence of the Executive from the Seat of Government on a short visit to his family.

I can scarcely bring myself to the belief that Maj. Neighbors would have acted so indiscreetly as to have granted permission for any purpose to Indians to come into the settlements. Certainly the General Government could have given him no such order, and if it had, it was in violation of every obligation on its part towards our people. I shall take occasion to bring this matter to the attention of the proper Department. In the mean time, while I discountenance all harsh, unjust or intemperate measures against the Indians, I will say to you unequivocally to permit no intrusion on their part into your settlements for whatever purpose.

Very Respectfully

Geo. T. Wood

Executive Office,
Austin, May 3, 1848.

To Messrs Houston, Rusk, Pilsbury
and Kaufman.

Gentlemen,

I have the honor to acknowledge the receipt of your favor of April 14th expressing a desire that a requisition be made on the Secy of War for the quota of arms to be furnished the State of Texas under the Act of 23d April 1808, in the arms invented and contructed by Jas Colt after his improved model, in lieu of the ordinary arms heretofore furnished other States. With the utmost defference for the opinion therein expressed, I am never the less inclined to doubt the propriety of it. The efficiency of this arm, especially in the hands of our Rangers has been demonstrated so fully as to leave to room for doubt on that subject. It is for other reasons that I am disinclined at the present time to make the requisition in the form indicated. Unless great care be taken with this species of arm they are liable to great deterioration, and as no appropriation has been made for the custody and care of them by the Legislature, it would be out of the power of the Executive to have them kept in the order to ensure them against injury. It is further uncertain with what kind of troops our frontier may be garrisoned in the event of peace. These arms might probably not be in demand for a long period. Should an emergency arise suggesting their employment I see no reason why the requisition might not be made, upon its occurence. The high price of this arm too is an additional reason why I think they should not be asked for unless for immediate use.

Letter to Members of Congress in relation to public arms.

I have the honor to be,
With great respect,
Your Obt. Servt.

Geo W. Paton

State Department,
Austin, May 4, 1848.

Hon. James Buchanan
Secretary of State,
Washington.

Sir,

I submit herewith, for such action as may be deemed proper, a letter from D. Stewart, Esquire, late Vice Consul of Texas for Bordeaux, addressed to Mr. Jones, late President of Texas, and by him transmitted to this Department.

Letter to Secy of State U. S.

I have the honor to be,
Very Respectfully,
Your Obt. Servant,

W. D. Miller,
Secretary of State.

Executive Office,
Austin, May 9. 1848.

To/

Citizens of Limestone and Navarro Counties.

Gentlemen.

Your favor of the 26th April is at hand, and it affords me pleasure to be able to say to you, that I have already assigned a full Company of Rangers, recently organized at this place, to the point designated in your communication. It will proceed at once to its station, being now only delayed awaiting its commissary and subsistence stores from San Antonio and which are daily expected.

Letter to the Citizens of Limestone and Navarro Counties

The Executive would wish a great deal

of pleasure have given the authority to raise the company intended for your neighborhood to such person as you would have designated, had he felt authorized to add to the force already raised, but having at the moment a Company unassigned, he did not feel authorized to accept the services of another.

Satisfied, however, that the main object of the citizens of Limestone County is protection the Executive is exceedingly gratified in being able thus promptly to respond to their appeal.

With high regard.
Your fellow citizen

Geo T Wood

Letter to Col. P. H. Bell in relation to frontier defence, &c.

Executive Office,
Austin, May 10, 1848.

To
Col. P. H. Bell,

Sir,

There has been a public meeting recently held in the Counties of Navarro and Limestone for the purpose of petitioning the Executive for a Company of Rangers to be stationed at some eligible point between the Trinity and Brazos rivers. The proceedings of said public meeting has been forwarded by express to this Department. In reply to which I have stated that you would direct Capt. Conner, without much delay to occupy a post in that neighborhood, all of which I hope will meet your views.

Very Respectfully,
Your Obt. Servant.

Geo T Wood

State Department,
Austin, May 16, 1848.

Francis Brinley, Esq.
Boston.

Sir,

Letter to F. Brinley, Com. of Deeds, Mass.

Your letter of the 14th January reached this Department only by the mail of last evening. It has since been submitted to Governor Wood, who has instructed me to renew your Commission, under his appointment. You will accordingly receive it herewith. Your powers under it will be co-extensive with your State.

To account for the delay that has occurred in the receipt of your letter of the 14th January, it is proper to state that in consequence of its being addressed to my predecessor in Office, it was mailed to him at his residence, from this post office on the 23d February, and again mailed by him to me on the 9th instant.

I have the honor to be,
Very Respectfully,
Your Obt. Servant,

W. D. Miller,
Secretary of State.

State Department,
Austin, May 22, 1848.

Hon. J. Benton Johnson,
Corpus Christi.

Sir,

Your letter of the 4th inst., in regard to the qualification of the officers elect of Webb Co., came to hand by last night's mail

Letter to C. H. Buchner, of Nueces, in relation to qualification of officers elect.

Briefly, I have the honor to say that, I am not aware of any mode of avoiding the difficulty which exists, other than by the Chief Justice elect of the new County appearing before you and taking the necessary oaths. After he shall have done so, he can no doubt be authorized to swear in the other officers, of the County and make return of their regular qualification to this Department, upon which their Commissions will be issued.

It is necessary for you to report who have been elected according to the returns made to you.

In what I have said, I take it for granted, that you yourself, have been regularly elected and qualified. Of which facts, however, there is not one particle of evidence in this Department. You ought to see that the returns &c, in your case are speedily made.

Very Respectfully,

M. D. Miller,

Secretary of State

Executive Office,
Austin, May 29, 1848.

C. H. Buchner, Esq.

Sir,

Letter to C. H. Buchner, &c. Copies of the [illegible] inst. covering a proposition to print certain laws in the German language has been received, and I am directed by His Excellency, the Governor, to say in reply to his proposition to print 300 copies of certain laws to be furnished you, each copy to contain 200 pages of the laws to the pages, furnish paper, fold and stitch them for the sum of 250 dollars, deducting one dollar for each page that it may fall short and adding thereto for each page exceeding that number.

By this evening's mail I forward to Mr. H. W. Wagner, the laws designated by the Governor for translation, he being employed to do this portion of the work. As he finishes his translation he will hand them to you.

I forward the Constitution of the State in German, which Governor Henderson had translated. This you can set to work on at once. And in the stitching of the copies let it precede the laws of the Legislatures. Mr. W. will also examine and correct the proof.

When completed you will have the copies boxed up safely and forwarded to Hon. W. S. Miller, Secy of State, to the Care of J. Shackelford & Co., Houston, and forward your account to this Office, to be approved and paid.

I have the honor to be,
Very Respectfully,
Your Obt. Servt.

H. P. Brewster

Private Secretary.

State Department,
Austin, May 31, 1848.

J. B. Wilmeth, Esq.,
Buckner in Collin County.

Sir,

I write to you to say that I expect to be able to forward to your address by the next mail, the transcripts of the papers and documents connected with the Colonization Contracts relating to Wm. S. Peters and others. It has not been possible for me to comply at an earlier day with your request of the 6th of last month, on account of the attention and labor necessarily

Letter to J. B. Wilmeth
Rec'd

given to the public printing.

I have the honor to be,
very Respectfully,
Your Obt. Servant:

M. D. Miller,

Secretary of State.

Executive Office,
Austin, May 31, 1848.

W. C. Young, Esq.

Sir,

Letter to W. C. Young in relation to colonization contracts

I have the honor to acknowledge the receipt of your favor of , and assure you that I appreciate the motives and spirit which suggested your communication. Immediately upon the receipt of it I sat down to a full and patient investigation and examination of the Contracts of Polk and Bracken, as well as of the laws made in reference to them. I regret that I have not had an opportunity of consulting the Attorney General upon the matter since the receipt of your favor, particularly in regard to the view you take of these Contracts. I should have much greater reason to be satisfied with the result of my examination had I been able to do so. Nevertheless I have addressed myself to the subject with an earnest desire to arrive at a sound and correct conclusion, and now proceed to acquaint you with my convictions the result of these labors. None in the State can be more decidedly opposed to those contracts - the policy which dictated them I have ever regarded as unwise, and the right to form such, to use the mildest term, highly questionable, involving in its exercise such manifold injustice to those who are the holders of

just claims upon the public domain amounting to a violation of the public faith. Entertaining this opinion it is my firm resolve to employ lawful means, and by every constitutional means in the power of the Executive to enforce the rights of the State and her citizens, by bringing to bear upon these contracts every legitimate engine of warfare, for their destruction. From a careful examination of the Contracts of Poles and Mercers, I am unable to arrive at the conclusion that such a Proclamation as you refer to is contemplated by their terms. By the Act of Congress passed by a Constitutional majority, January 30th 1844, (5th section) it is made "the duty of the President whenever he ascertains that any of the Colonization Contracts heretofore made have been forfeited by a failure to comply with all their provisions on the part of the Contractors, to issue his Proclamation to that effect immediately." Had our legislation ceased here upon the subject of these Contracts, it would without doubt have been the duty of the Governor as the successor of the President to have issued a Proclamation, upon the happening of the contemplated contingency, although no law determined what was to be the legal effect when issued. But inasmuch as the Convention which assembled in July 1845, directed much of its attention to the subject of these Contracts, resulting in the adoption of an Ordinance in relation to them expressing first their belief of their invalidity, and then prescribing the manner by which they were to be tested, in my opinion placing the entire question as it then stood in the hands of the judiciary, the only officer of the Government whose interposition seemed to be contemplated being the Attorney General of the State. That able Officer has devoted much labor in the examination of these Contracts and the questions involved in them, and I feel confident of his concurrence in the views I have expressed or he would have long ago suggested the proclamation had it in his opinion been important to the rights and interests of the State. Had any of our Statutes given any legal effect to this proclamation when made, such as making it presumptive evidence of the facts set forth, or had a failure to issue it been declared to be a

presumption of compliance on the part of the Contractors, or induced any other legal inference prejudicial to the rights of the State, its influence would be evident, and the existence of the proclamation of forfeiture the injurious duty of the Government a duty which the present Executive incumbent would perform with the greatest alacrity and pleasure could he realize a single advantage to the State from its being done, or apprehend a single injury from its being omitted.

By the ordinance of the Convention the fact of forfeiture as well as all the other questions involved in these Contracts is made the subject of judicial inquiry and decision, and can be determined in no other manner. Assuming this to be true as a proposition, and I think it may safely be done, I can see no good to result from the course proposed — On the contrary, evil might.

A proclamation of forfeiture without in fact determining the question it purports to do, or in the least degree affecting it, might from its solemn character delude many persons into the belief that it was conclusive of the facts which it set forth and cast them into difficulty and uncertainty from which it would be powerless to release them.

To do an act which might induce such consequences, without the remotest possibility of good to any one, could neither justify nor honor, or afford me hereafter a recollection the least gratifying.

I do not with this communication by any means dismiss this subject. I owe it to you as my friend and in the instance as a public measure to detain upon it the fullest reflection. Your communications shall be submitted to the Attorney General, on his return (daily expected) and his suggestions shall be observed.

Yours truly &c.

Thos. Jefferson

By the Governor of the State of Texas.
A Proclamation.

Proclamation for arrest of fugitives.

Whereas, satisfactory evidence has been presented to the Executive, that a certain John Tannum and Elisha Tannum, both late residents in the State of Alabama, stand charged with felonious embezzlement of the property of L. M. Sennett, committed in the State of Alabama, and information having been received that the said John Tannum and Elisha Tannum have fled from justice and taken refuge in Texas.

And whereas, application has been made to the Executive for authority to arrest the said John Tannum and Elisha Tannum, herein before mentioned and deliver them to the proper authorities of the State of Alabama, that they may be dealt with according to law.

Therefore, I, George T. Wood, Governor of the State of Texas, in virtue of the power vested in me, do, by these presents, authorize, require and enjoin upon the civil authorities, especially upon all Sheriffs and Constables (and in case of need the military authorities) of this State, and they are hereby authorized, required and enjoined, to aid and assist, in arresting and delivering the said John Tannum and Elisha Tannum to L. M. Sennett, the properly authorized agent of the State of Alabama that they may be dealt with, according to law as aforementioned.

In testimony whereof, I have hereunto set my hand, and caused the Seal of the State to be affixed.

Done at Austin, the third day of June, one thousand eight hundred and forty eight; of the independence of the United States of America the seventy second, and of Texian Independence the thirteenth.

S. S.

By the Governor:

W. D. Miller,
Secretary of State.

G. T. Wood

State Department
Austin, June 3, 1848.

J. H. Brower & Co.,
New York.

Gentlemen,

Order for record books:

Please procure for this Department, and forward at the earliest practicable period through J. Shackelford & Co., Houston, a blank book, of uniform size and finish with those sent out some two months since. I forward herewith a pattern sheet, indicating the form in which the book is to be ruled with red and faint lines.

The lettering on the back will be thus:

REGISTER.
DEPARTMENT OF STATE

J. P. Henderson.
A. le. Horton.
Geo. T. Wood.

Governors.

We are very much pleased with the two books lately received through you — from Bonnie & Co's establishment.

I sent you by last mail a copy of our last laws.

Very truly
Yours,
H. D. Miller,
Secretary of State.

By the Governor of the State of Texas.
A Proclamation.

Proclamation for general election.

Whereas by an act of the last session of the Legislature, it is provided that an election be holden in the several counties of the State on the first Monday in August next, by ballot, for one Chief Justice, four County Commissioners, one Sheriff, one Coroner, one County Clerk, two Justices of the Peace, and one Constable for each Justices precinct, and such other County Officers as are or may be required by law to be elected by the people, with the exception of the Clerk of the District Court.

Therefore, Be it Known that I, George T. Wood Governor of the State aforesaid, by virtue of the authority vested in me by law, do hereby order and direct that an election be holden in the several Counties of the State, on the first Monday in August next, for one Chief Justice, four County Commissioners, one Sheriff, one Coroner, one County Clerk, two Justices of the Peace, and one Constable for each Justice precinct, and such other County Officers, as are or may be required by law to be elected by the people, with the exception aforesaid.

And it is further ordered and directed that the Chief Justices of the respective counties give due notice of the said election, appoint presiding Officers (where the same have not been appointed by the County Court,) in the several precincts, who will appoint the judges and clerks of said election, and have the same conducted according to the Constitution and laws regulating elections, and make due returns thereof to the Department of State.

In testimony whereof, I have hereunto set my hand and caused the great Seal of the State to be affixed.

Done at the City of Austin, the fifth day of June, one thousand eight hundred and forty eight; Of the Independence of the United States the seventy second, and of Texas, the thirteenth year.

G. T. Wood

S. S.

By the Governor:
W. D. Miller,
Secretary of State.

State Department,
Austin, June 5. 1848.

J. B. Wilmeth, Esq.,
Collin County.

Sir,

I have the honor to transmit to you the transfer of the papers connected with the Colonization Contract of M. S. Peters and others, which are of record or on file in this Department.

Letter to J. B. Wilmeth, transmitting copy of record.

The fees due the Dept. for the same, amount, as you will perceive to the sum of twenty five dollars; which I must request you to forward at an early day, as under the law I am compelled to account to the Treasury therefor on the first day of July. If it is not in the mean time forwarded to me I will of course be under the necessity of paying the money myself.

I have the honor to be,
Very Respectfully,
Your Obt. Servt.,

M. D. Miller,
Secretary of State.

Executive Office,
Austin, June 5. 1848

To Edmund Burke,
Com. Broker — Washington, D.C.

Sir,

I have the honor to acknowledge the receipt of a parcel of specimens of wool.

Letter to Comm. of Patents U. S. acknowledging receipt of specimens of wool.

They are of a desirable fineness, and shall be properly disposed of to answer the purpose for which they are designed.

I have the honor to be, very Respectfully Your Obt. Servt.

Geo. T. Wood

Executive Office,
Austin, June 5. 1848.

Major W. P. Lane,
Comdg Batn., Texas Volunteers.

Sir,

Letter to Maj. Lane, in relation to troops.

Your communication of the date of April 30th., post marked at San Antonio, May 20th., only came to hand by last night's mail; through carelessness it had passed here, gone to Galveston and been resent to this place. There is in this Office no information upon the subject of your Battallion from the War Department; and as you were mustered in under the arrangements between yourselves and the Officer in command of the U. S. forces on the line where you are the State authorities have never been advised of the terms of your enlistment. Indeed from all that appears in this Office, I am wholly ignorant of the fact of your being in service at all. You must know the law of your enlistment and of course I have no power to vary it. But as it seems to be the desire of your command to be discharged. I will take the earliest occasion of interposing in your behalf with the General Government. Until their determination is heard as an Officer and soldier you need not be advised to continue at your post in the discharge of the duty assigned you. You shall be made acquainted with their intention so soon as I am advised thereof.

Your friend and Obt. Svt.

Geo. T. Wood

Executive Office,
Austin, June 8, 1848.

Hon. W. L. Marcy,
Secy of War.

Sir,

Letter to Secy of War, in relation to troops, Indian affairs, &c.

Since my last communication to your Department, I have remustered into the service of the United States for the protection of our frontier the several companies, stationed thereon as their services expired, to wit; Captain Highsmith's and Captain Gillett's companies. In addition to these I have authorized to be raised and mustered in an additional company for the same service, Capt Comer's. This course I felt to be imperiously dictated by the unsatisfactory state of our relation with our border Indians. On the part of the Indians there has been no remarkable demonstration of hostile intent although their acts and bearing are far from being indicative of a friendly disposition or of a regard for the terms of the existing treaty. The inevitable result of such conduct on their part if persisted in will be yet more serious collission with our frontier settlers, with its unhappy train of consequences. To avert these evils I could not resist the conviction that an extra frontier defence should be kept up and strengthened to the extent I have advised you. Feeling thus I should not have acquitted myself of the duty I owe to the people of Texas as well as to the cause of humanity had I omitted to act as I have done. While upon this subject I will take occasion to say that, the management and conduct of our Indian relations is made extremely difficult and much less efficient than is desirable, from a want of a proper arrangement between the State of Texas and the General Government, the jurisdiction of each being only a qualified one, neither can exercise that full control over this question indispensable to success. The experience of the Indian Bureau, in the management of these relations may perhaps suggest some mode or basis or arrangement to the establishment of which I shall at all times be ready to contribute to the extent of

my power.

I have the honor to be,
Your Obt. Servant.
G W Smith

State Department,
Austin, June 12, 1848.

Hon. J. H. Reagan,

Sir,

I have had the honor to receive your letter of the 18th Ultimo, in relation to discrepancies between the published copy of the memorial of the Legislature concerning mail routes in this State, and the copy as passed by the two houses.

Letter to J. H. Reagan, in relation to act concerning mail routes, &c.

I have very carefully examined into the facts of the case, and find that the printed copy corresponds exactly with the act as enrolled and sent to the State Department.

You will perceive however, from the statement of the Secy of the Senate (N. C Raymond, Esq.,) a copy of which I enclose you herewith, that the Assistant Enrolling Clerk, who enrolled the bill, omitted entirely to notice the fact that the Senate receded from their amendment to the bill as it passed the House, and hence included the said amendment from which the Senate had receded, in Route No. 1. — Route No. 4. is correctly enrolled and printed, according to the action of the Legislature as shown by their records.

A copy of the enclosed statement has been sent to Maj Kaufman.

Very Respectfully, Your Obt. Svt.,
W. P. Miller
Secretary of State.

State Department,
Austin, June 21, 1848

Sir,

As it is thought that some mis construction of the Governor's proclamation of the 5th instant may possibly arise, as to the election of District Clerk, in those of the new Counties in which elections are to be holden on the first Monday in August next; I would suggest that you order the election for District Clerk in the new County of
if you have not already done so.

Circular letter to C.Js. whose duty it is to order elections for the new counties.

I have the honor to be,
Very Respectfully,
Your Obt. Servant;

W. D. Miller,

Secretary of State.

To/
The Hon. Chief Justice of
Denton County
Travis,
Henderson;
Bexar,
Milam and
Gonzales.

State Department,
Austin, June 30, 1848.

Hon. Theodore Miller,
Chief Justice of Calhoun County.

Sir,

I hereewith acknowledge the receipt of your communication, dated May 29th last.

In reply to your enquiry, respecting the privilege of voting, by the German Emigrants, it is very clear, that all foreigners who have arrived in Texas, since the consummation of Annexation, are not entitled to vote. They will have to conform to the laws of the United States on the subject of naturalization, before that right can be exercised as American Citizens.

Letter to C. J. of Calhoun, in relation to voters

Very Respectfully,
Your Obt. Servt.

Chas. Mariner,
Clerk.

State Department,
June 30, 1848.

Hon. R. F. Oliver,
Chief Justice of Montgomery County.

Sir,

In reply to your communication of 12th ultimo, concerning the appointment of "A Hemphill, as a Notary Public of Montgomery County", it appears, that no such nomination has been made. On reference, however, to the Journals of the Senate, 2d Leg.

Letter to C. J. of Montgomery in relation to Notary Public.

I perceive, that, on the 31st of Decr last, the name of A. H. Hemphill as Notary Public for Milam County, was handed in by the Governor, and on motion of Senator Grimes, was laid on the table, and not confirmed. It seems, then, to have been an error in the publication which you refer to, besides, I can discover, no evidence among the records of this Office to show that he is, or was, a Notary Public of Montgomery County.

Very Respectfully,
Your Obt. Servant.

Chas. Mariner,
Clerk.

State Department,
Austin, June 30, 1848.

Hon. John H. Crook,
Chief Justice of Lamar County.

Sir,

Enclosed, herewith, is a Commission for Cyrus K. Holman, as Sheriff of Lamar County.

In answer to your enquiry why certain Commissions have not been received by the Officers of your County, I can only say, that on examining the records of the previous Secretary, Hon. David G. Burnet, I find that none were ever issued for the County of Lamar, during his administration. The reason for which I know not.

Letter to C. J. of Lamar, in relation to commission.

Very Respectfully,
Your Obt. Serv.
Chas. Mariner
Clerk.

State Department,
Austin, July 1. 1848.

Hon. A. S. Mitchell,
Asst. Secy of State,
Kentucky.

Sir,

I have the honor to acknowledge the receipt of your Communication, dated June 1, 1848, also, the full compliment of State Documents as forwarded in accordance therewith, as follows;

Letter to Asst. Secy of State of Ky.

3 Vol. Kentucky Digest.
2 " " Laws, 1847–8.
3 " Journals Legislature, 1847–8.
1 Copy Ben Monroe's Decision of Ky Court of Appeals.

I have mailed, addressed to the Governor of Kentucky, the Laws and Decrees of the State of Coahuila and Texas and the General and Special Acts of Second Legislature of this State.

Very Respectfully,
Your Obt. Servant.

Chas. Mariner,
Clerk.

State Department,
Austin, July 11. 1848.

Tho. J. Neavitt, Esq.,
Columbus.

Sir,

I have received your letter in relation to the election of District Clerk in your County.

Letter to Th. J. Neavitt, in relation to Dist. Clk. Colorado.

I have not had the benefit of the advice of the Attorney General, and at any rate my opinion could not be considered as authoritative. I would however observe, that the Governor's proclamation was framed in reference to this question, after a careful consideration of the provisions of the Constitution and laws. There being, apparently, a conflict between the two, it was deemed most safe to follow out the provisions of the former and the last act of the Legislature, Chap. 133.

The Constitution fixes the Official term of District Clerks at four years, giving the Judge at the same time, the right of appointment in case of vacancy, and the last law directs that these Officers shall be elected in each County in the State in August 1850. It would seem from this, in my judgment, that the Legislature intended that the appointee of the Judge, in cases of vacancy, should continue in Office until the regular election for District Clerk in 1850.

Yours,

Very Respectfully,
Your Obt. Servt.,

W. D. Miller,

Secretary of State.

State Department,
Austin, July 11, 1848.

Hon. John Long,
Chief Justice of Houston County.

Sir,

Letter to C. J. of Houston, in relation to Dist. Clk.

Not doubting that you received a prompt reply from the Attorney General to your letter of inquiry to him concerning the election of District Clerk in your County,

I did not think it necessary for me to address you at an earlier day.

The Governor's proclamation ordering the election on the first Monday in August next, was framed after a careful consideration of the provisions of the Constitution and the laws bearing on the question which has arisen. —— There being, apparently, a conflict between the two, it was deemed most safe to follow out the provisions of the former and the intentions of the Legislature as expressed in the last law.

The Constitution fixes the official term of District Clerks at four years, giving at the same time the Judge the right of appointment in case of vacancy, and the last law (Chap. 133) directs that those Officers shall be elected in each County in the State in August, 1850. It would seem from this, in my judgment, (which of course cannot be considered as authoritative) that the Legislature intended that the appointee of the Judge should continue in Office until the regular election in the year 1850.

I am,
Very Respectfully,
Your Obt. Serv't,

W. D. Miller,
Secretary of State.

State Department,
Austin, July 15, 1848.

To
Editor of the American Almanac.

Sir,

It was my desire to furnish you with a

Letter to the Editor of the Am. Almanac.

complete list of the principal Officers of the Government of Texas, from the earliest establishment of the Anglo American rule, down to the present period; but my engagements have been such as to deny me that pleasure. Unfortunately the condition of our old records is such as to make it a task of much time and labor to compile a full and correct official list. I will however not abandon my intention of doing so, at the earliest practicable period, so that you may have it for insertion, if you please, in the Almanac for 1850.

I now enclose you accurate exhibits of the Officers of Government, the finances, and the Census, since the date of Annexation, which you may rely upon as thoroughly correct in every particular, and which you are at liberty to use in whole or in part, as you may think proper. I trust they may be printed correctly.

I have the honor to be,
Very Respectfully,
Your Obt. Servant,

W. D. Miller,
Secretary of State.

State Department,
Austin, July 13, 1848.

Sir,

By direction of Governor Wood, I have the honor to transmit herewith, to your Excellency's address, a copy of the Statutes passed at the last session of our Legislature; and, also, a copy of the Laws and Decrees of Coahuila and Texas in Spanish and English, and request that the receipt of the same may be acknowledged.

I have the honor to be, Very Respectfully, Your Obt. Sr.

(Addressed to the Governor of all the States.)

W. D. Miller,
Secretary of State.

Circular letter to Governors of States and Territories, transmitting laws.

Executive Office,
Austin, July 19, 1848

To His Excellency,
The Governor of Mississippi.

Sir,

I have the honor to acknowledge the receipt, this day, of your requisition for Robert Merritt, Daniel Stuckey, Christopher J. Davis, Benjamin F. Taylor, Benjamin Stuckey, and Jesse Hobbs, charged with the crime of murder in the State of Mississippi. By the first section of the law of Congress in relation to the arrest and delivery of fugitives from justice it is necessary that a copy of the indictment properly certified, or an oath before some sufficient authority charging the persons demanded with some crime should accompany the requisition and be produced to the Governor of the State to which they have fled. This has been omitted in the case before me, I suppose by accident.

Letter to the Gov. of Miss., in relation to requisition.

Your compliance as above indicated will secure for your demand the promptest enforcement.

I have the honor to be
Your Obt. Servant.

Geo W. Wood

That no inconvenience or misconstruction may arise of what I have written, I deem it advisable to acquaint you with the fact, that the State of Texas does not acknowledge on her part any obligation to surrender fugitives when the crime was committed anterior to annexation.

Your Obt. Servt.

Geo W. Wood

State Department,
Austin, July 20, 1848.

S. B. Wilmeth, Esq.,
Buckner,
Collin County.

Letter to S. B. Wilmeth, in relation to election of Dist. Clk.

Sir,

Your letter of the 14th inst, is at hand; and in reply to your inquiries touching the election of District Clerk in your County I have to say that the Governor's proclamation ordering the election on the first Monday in August next, was framed after a careful consideration of the provisions of the Constitution and laws bearing on the question which has arisen. There being apparently a conflict between the two, it was deemed most safe to follow out the provisions of the former and the intentions of the legislature as expressed in the last law, Chap. 133.

The Constitution fixes the Official term of District Clerks, at four years, giving at the same time the Judge the right of appointment in case of vacancy, and the last law (Chap. 133) directs that these Officers shall be elected in each County in the State in August, 1850. It would seem from this in my judgment (which of course is not in any respect authoritative) that the legislature intended that the appointee of the Judge should continue in Office until the regular election in the year 1850.

Inasmuch however, as this question is one growing out of the imperfection of our statutes, and as the Attorney General is not now here so that I might have the benefit of his advice, I would think it best under the circumstances to yield to the public wishes. If it be the will of the people that the election should be held for District Clerk, in August next, it ought to be done. The question may hereafter be decided by the competent authority. I cannot see that any disadvantage would result from this course. I have given my opinion on the opposite page; but it is my individual opinion only and has no binding authority, it

cannot be taken by the Chief Justice as any rule for his guidance. The most perfect harmony consists, and the solution of the difficulty will follow in due season.

I have the honor to be,
Very Respectfully,
Your Obt. Servt.,

H. D. Miller,
Secretary of State.

State Department,
Austin, July 21, 1846.

Charles De Morse, Esq.,
Clarksville.

Sir,

I send you enclosed herewith, a distribution bill, by which you may be guided in your distribution of the Journals, as soon after they are ready as possible through the mails to the several Counties in the State. The bill contains the names of the Counties and of the County Seats, with the exception of two or three. These considered, you will probably be able to supply. If not, you may address the packages in these cases to the County Clerks of the Counties without specifying packages, the post Offices.

Permit me to impress you with the importance of enclosing the packages in a strong manner and wrapping them in good paper and tying them securely with strong twine.

You will thus see a very saving in the post office, and take care that the several packages are not lost. They will go through the mails,

Letter to C. De Morse, in relation to the distribution of journals.

as pamphlets.

The Postmaster's account will be forwarded hereafter. It is to be hereby hoped to have been satisfactorily attached that the amount of postage charged for these daily matters by you.

The amount to be distributed from Texas, will as you will see from the letter, is 342. The balance of the amount required to be paid over you will forward to this Dept. at the earliest practicable period.

I have the honor to be
Very Respectfully
Your obt. Servt.

M. D. Miller,
Secretary of State.

The State of Texas.
To all to whom the United States of America.

Letter of citizenship to J. O. Measlach.

I, the undersigned, Secretary of the Republic of Texas, by virtue of the authority in me vested by the Constitution and laws, hereby certify, make known and declare to all whom it may concern, that John C. Measlach is here, and has been since the annexation of Texas to the United States of America, a citizen of this State and of the United States of America, and that he is entitled to all the rights, privileges and immunities to such citizenship belonging or by any law appertaining.

And I do hereby request the Governor and Magistrates of other States, to permit the said John C. Measlach to freely and peaceably enjoy within their respective jurisdictions, the rights, privileges, and immunities of citizens

And I do further certify that the official act of Conrad Seabaugh, hereto annexed, is entitled to full faith and credit.

In testimony whereof, I hereto affix the Great Seal of the State and sign the same with my hand, at the City of Austin, the 31st day of July, 1848, and of the Independence of Texas the thirteenth year.

L. S.

Geo T Wood

By the Governor:

W. D. Miller,

Secretary of State.

State Department,
Austin, August 10, 1848.

J. W. Kruger Esq.,
Houston.

Sir,

Letter to J. W. Kruger, in relation to the public printing.

The account of the Public Printers for printing six hundred and seventy two pages of the Journal of the House of Representatives of the second Legislature, has been approved by Ben. F. Nile, Esq., Chief Clerk and Superintendent of the printing of the House; and in consequence of such approval its payment has been sanctioned by me as Secretary of State.

Although I do not conceive that the law gives me any controll over this printing, yet candor compels me to say that, if it did, I could not in

conscience approve the manner in which the work has been done. It is quite evident that at least one third more space has been occupied than was necessary or convenient. In this way both the expense of printing and distribution has been very materially increased. And I do hope that what remains of the work to be done, will be executed in a manner more consistent with the interests of the State. Unless such should be the case, I do not think the large appropriation made for this purpose will be sufficient.

Will you ask the City Postmaster, at Houston, to send up his bill for postage on the Senate Journals, distributed through his Office.

I think the Journals of the House had better, if possible, be stitched in one volume.

Very Respectfully,
Your Obt. Servt.

W. D. Miller,

Secretary of State

State Department.
Austin, August 16, 1848.

A. J. Fowler, Esq.,
District Attorney, Palestine,
Anderson County.

Sir,

Your letter of the 19th ult requesting to be furnished with copies of the various Colonization Contracts, made with the Presidents of the late Republic of Texas, was received by the last mail.

To make out copies of all these Contracts with the acts &c., connected with them, would be the work

letter to Dist. Atty. in relation to copy of colonization contract.

of months, with the means at the command of this Office. I therefore hope that some acceptable arrangement may be made whereby your object may be accomplished and the public interests duly secured.

The Attorney General has commenced suit on these contracts, as will be seen by his report to the Governor in December last; and I suppose as a matter of course, that a copy of the Contract was filed in each case. If, however, you should desire to see, in advance, a transcript of the reports made by the Contractors, or their agents, no doubt Judge Reagan, of Henderson County, will oblige you and this Office by letting you have the use of the Copy of those connected with the Mercer Contract, which was furnished to the last Legislature. The Clerk of the House of Representatives, informs me that he has this copy in his possession, and as it is a full transcript, it will give you all the information which another would afford you.

Early in June last, also, this Office furnished S. B. Wilmeth, Esq., and other citizens of Collin County, a transcript of the Contract with W. S. Peters and others, together with all the reports connected therewith. The fees due this Office for this work, and which they have engaged to pay, amount to twenty five dollars. By turning over the papers to you as District Attorney, they will relieve themselves from this payment; and I have no doubt they will most willingly do so, as your official action will serve their purposes. Please therefore call on Mr. Wilmeth; and make the request. If he assents to the arrangement, your receipt, as District Attorney, transmitted to me, will be all sufficient.

I hope the arrangements suggested will answer your purposes fully and also the wishes of all concerned. It will certainly relieve this Office of a very burdensome labor which would in that case be unnecessary.

Perhaps you had better address the Attorney General to know what he has done in these cases.

I have the honor to be, Very Respectfully, Your Obt. Servant,

M. D. Hill

Secretary of State.

State Department,
Austin, August 17, 1848.

Messrs Pleeson & Palmer,
Point Isabel.

Gentlemen,

Letter to Pleeson & Palmer, in relation to their acct. for printing.

The last mail brought me your note of the 15th June, postmarked at Corpus Christi the 20 inst., enclosing your account for publishing the laws of Texas relating to elections in this State, in the English and Spanish languages.

I regret, in reply to be compelled to inform you that there is no fund at the disposal of this Department out of which your charges can be paid. The amount allowed by the last legislature for contingencies, was small, and has already been absorbed for indispensable purposes: otherwise I should be disposed to make you the proper allowance out of that fund. As it is however, to do so is impossible. The only mode left you is to make application to the next legislature, setting forth the facts and circumstances, under which the work was done. It will be for them to make the adequate appropriation.

Will you be so good as to forward your paper to this Department, and draw on me for the amount of one year's subscription through some person at Galveston, say Mr Stuart of the "Civilian". I will pay your draft on presentation. With my best wishes,

I have the honor to be,
Very Respectfully,
Your Obt. Servant,

M. D. Miller,
Secretary of State.

State Department,
Austin, August 24, 1848

John M. Crockett, Esq.,
Dallas.

Sir,

I have just received your communication of the 18th inst., and the proper examination has been made upon the points suggested by you. In reply, I have to say that the document enclosed is a strict copy from the records of this Department, as were also the other papers transmitted to Mr. Wilmeth. As a matter of convenience in making out the tabular statements, different-sized paper was used, and consequently the several papers were not attached to each other in making up the entire document. If I remember correctly, however, the several papers were separately numbered in the order of their dates, and a certificate appended to the last which was intended to certify to the correctness of the entire transcript. An additional certificate however as requested, is attached to the document enclosed.

Letter to J. M. Crockett, inclosing copy of certain papers

The District Attorney of your District, A. J. Fowler, Esq., wrote some days ago to this Office for a transcript of the same papers. I have replied to him that a copy had already been furnished to the Citizens of Collin County, and that they would probably give him the use of it. In which case his receipt as District Attorney to Mr. Wilmeth, or the person handing him the papers, transmitted to this Office would relieve the parties interested from the payment of the fees charged, and at the same time secure the object they may have in view. Will you do me the favor to inform me whether this arrangement will suit those interested? If so, it will relieve this Office from much unnecessary labor.

Trusting that the certificate appended to the document now forwarded will be ac-

sufficient,

I have the honor to be,
Very respectfully,
Your Obt. Servant,

M. D. Miller,
Secretary of State.

State Department,
Austin, August 25, 1878.

Hon. John Tolivar,
Chief Justice of Colorado County.

Sir,

In reply to your letter of the 16th instant, received last night, I have to say that the Attorney General is still absent, and therefore it is out of my power to make immediate reference to him of the points in question, suggested by you as to the eligibility of the officers elect in your County. He is the proper officer to decide the questions raised. He is expected back daily, and as soon as he arrives, I will submit your communication to him and obtain his opinion thereon, which I will forward to you without delay.

Letter to C. J. of Colorado, in relation to eligibility of certain officers elect.

I have the honor to be,
Very Respectfully,
Your Obt. Servant,

M. D. Miller,
Secretary of State.

State Department,
Austin, August 25, 1848.

Hon. Isaac Standefer,
Chief Justice of Milam County.

Sir,

Your letter under date of the 21st instant, in regard to the election of County Surveyor in your district and the proper place of his Official residence, came to hand last evening. I have since carefully perused your remarks and the questions propounded and submitted them also to the inspection of the Commissioner of the General Land Office, with the hope that I might thus be able to give you the advice and instructions asked for.

Letter to C. J. of Milam, in relation to residence of Surveyor, &c.

The points raised however, are in their character purely legal; and were I as Secretary of State, to adventure an opinion on them, it could not properly be taken by you or the parties interested as a definitive rule for official action. And the same may be said with respect to the Commissioner of the General Land Office, who does not feel himself authorized to decide upon the questions involved in this case. We therefore concur in the opinion that it will be safest, best, and the shortest method of settling these difficulties to submit the whole matter to the Attorney General of the State for his examination and official advice; and by this advice, when obtained we can all be guided.

With this view, I will submit your communication to the Attorney General and as soon as his opinion is had thereon, I will transmit it to you, and act myself in pursuance of it, if any action on my part should be necessary. The Attorney General is now absent; but is expected back daily. You may rely upon my punctual and prompt

attention to the matter.

I have the honor to be,
Very Respectfully,
Your Obt. Servant.

W. D. Miller,
Secretary of State.

State Department,
Austin, August 28, 1848.

J. W. Cruger, Esq.
Public Printer, Houston.

Sir,

By last night's mail, I received your favor of the 21st inst. The printed forms did not come to hand.

Letter to J. W. Cruger, in relation to public printing.

In my letter to which yours is a reply, I did not intend to assume in any respect the control or supervisendence of the manner in which the journals should be printed. That part of the business was entrusted by the Legislature exclusively to the Clerk of the House and Secretary of the Senate. I as well as you knew that you could not be benefitted by spreading the matter to be printed over an extra number of pages further than your proportional profits upon such extra number, which of course would not amount to much. Hence my remark, originated solely from a necessity which I thought I perceived to put you on your guard as to the probable inadequacy of the appropriation, both for printing and distribution. I am now satisfied that the appropriation for printing will not have one by several hundred dollars; and I am apprised, from the bulk of the Journals, that the same will be the case with the fund reserved for their distribution.

Secretary's office, Jan. 28th 1864

Secretary of State

Hale & Hagerman
Charlotte, Nevada Co. 28th 1864.

Hon. John H. Gray
Attorney General, &c., &c.

Sir,

Enclosed herewith, for your opinion, is a certificate which the Chief Justice of this State has received from the Chief Justice of this State, the Hon. Isaac Wenger, relative to the propriety of certain legal questions and acts, for accession thereon.

The letter of the Chief Justice is believed to be of itself sufficiently explicit upon the premises, and it is therefore left to your own reflections from one.

The communication gives you the opinion of the Chief Justice to the effect that it is necessary to do what is necessary, in my judgment, to carry into effect the wishes of the Chief Justice, unless I find some reason against it.

Hoping this course will be satisfactory, I am respectfully

Secretary of State

State Department,
Austin, August 2[illegible] 18[illegible]

Hon. John [illegible] [illegible],
Attorney General, &c., &c.

Sir,

[illegible] before you herewith, for your legal [illegible], a letter from the Honorable John [illegible], Chief Justice of Colorado County, dated the [illegible] instant.

Your attention to the [illegible] by the Chief Justice is respectfully requested.

I have the honor to be,
Respectfully,
Your Obedient Servant,
[illegible signature]
Secretary of State

Note to Atty Genl, [illegible] letter from C J of Colorado do.

State Department,
Austin, August 3[illegible] 18[illegible]

John [illegible] [illegible],
Attorney General &c., &c.

Sir,

[illegible] this Department that the Clerks of the Counties of the State, [illegible] the [illegible] of the Legislature, [illegible] of [illegible], and a [illegible], [illegible] the following questions are referred [illegible] to the Attorney General for [illegible].

[illegible] the office of District Clerk [illegible] in the [illegible] shall

Note to Atty Genl, [illegible] to [illegible] in the [illegible] of [illegible] &c.

they be commissioned — until the general election in 1850 or for and during the term of four years from the date of their election?

2. In the "new counties" — those organized under acts of the last session of the Legislature — are the District Clerks, elected at the date of the organization of such counties or at the general election on the 7th of this month, to be considered as having been elected for the term of four years or only until the general election in 1850?

I have the honor to be,
Very respectfully,
Your Obt. Servant,

W. D. Miller,
Secretary of State.

Executive Office,
Austin, September 2, 1848.

To His Excellency,
James K. Polk,
President &c. &c. &c.

Sir,

Letter to President Polk, in relation to Indian affairs, frontier defence &c.

I have before me a communication from Col. P. H. Bell, commanding the force now in service for the protection of the frontier of Texas against our neighboring Indians, which informs me that the discharge of those troops had been ordered by Genl. Brooke, under instructions from the War Department.

The order of Genl. Brooke, a copy of which has been forwarded to me by Col. Bell, directs the discharge of "Lt. Col. Bell's battallion". This intelligence has created much excitement and alarm among our frontier citizens as the immediate execution of this order would

leave them wholly unprotected, until such time as their place might be supplied by such force as the General Government intends to employ for that purpose. Such a measure I feel satisfied was never contemplated by the War Department, advised as it is of the unsatisfactory state of our Indian relations at this particular juncture. If this order be carried out our frontier settlements will recede at once, and the consequence will be not only great individual loss and suffering, but an outbreak on the part of the Indians who are now only restrained by the strong demonstrations made by our troops upon this frontier.

The order of Genl. Brooke, referred to above, directs, that the troops in question be marched to San Antonio, for muster and pay, which furnishes me a reason to believe that he refers to the regiment of Col. Hays, raised in 1847, and which was ordered to Mexico with the exception of one or two companies left under the command of Lieut. Col. Bell on this frontier, and not to such companies as have been raised for frontier defence under a discretionary authority given to the Executive of Texas by the War Department, dated July 16th 1847, on file in this Office. I am further induced to believe such to have been the intention of Genl. Brooke, as he by the terms of the order many of these troops would have to march a distance of from 200 to 400 miles to reach San Antonio for the purpose of being mustered out which could be as well done at their respective stations, and with far less inconvenience. And whatever may have been the intention of Genl. Brooke, or as expressed by his order, I can see nothing in the General order from the War Department to justify the implication that these troops raised and in service for a special purpose altogether distinct from the war with Mexico were to be discharged. The General order, grew out of a change of our relations with Mexico, but there being no change in our Indian relations, their application to these troops seems, exceedingly gratuitous, more especially when the application involves the probability of such serious disasters,

for in the interval between the disbandment of the troops now upon our frontier and the supply of their places by others our whole frontier might be desolated. Your early attention is invoked to this matter.

I have the honor to be,
Your Excellency's
Most Obt. Servant.
Geo T Wood

State Department,
Austin, September 5, 1848.

J. W. Cruger, Esq
Public Printer.

Letter to J. W. Cruger, in relation to distribution of journals.

Sir,

Complaints have reached me that the Journals of the Senate, now long since printed, have not been received at several of the County Seats. Will you be good enough to furnish me with the statement of the Postmaster at Houston as to the precise date when they were mailed; and also your own as to the time when they were delivered at the Post office for distribution and the manner in which they were prepared for transportation by mail?

I am,
Very respectfully,
Your Obt. Servant;
M. D. Miller,
Secretary of State.

By the Governor of the State of Texas.
A Proclamation.

Proclamation for election of Maj. Genl. third Division, Texas Militia.

Whereas a vacancy exists in the Office of Major General of the third Division of Texas Militia, occasioned by the election of the late incumbent to the Gubernatorial Office:

Therefore, be it known that I, George T. Wood, Governor of the State of Texas, do, by virtue of the authority in me vested by law, order and direct that an election be holden on the second day next after the first monday (the seventh day) of November next, in the Counties of Jasper, Jefferson, Newton, Polk, Tyler, Liberty, Grimes, Walker, Montgomery, Harris, Galveston, Robertson, Leon, Limestone, Navarro and Brazos, composing said third Division, for the purpose of electing a Major General to fill the vacancy aforesaid:

And to that end, the Chief Justices of the said Counties (and in case of vacancy in that Office or any inability of the Chief Justice to act then any two of the County Commissioners) are hereby ordered and directed to give the proper notice of said election, have the same conducted according to law, and due return thereof make to the Governor.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed.

L. S.

Done at the City of Austin, the sixth day of September, eighteen hundred and forty eight, and of the Independence of the United States the seventy third and of Texas the thirteenth year.

G. T. Wood

By the Governor:

W. D. Miller,

Secretary of State.

State Department,
Austin, Texas. Sep. 7. 1848.

O. C. Wyman, Esq., — Boston.

Sir,

Letter to O. C. Wyman, Com. of Deeds, Mass.

Your note of the 20th July, accompanied by one from Charles G. Greene, Esq., respecting your appointment as Commissioner of Deeds, &c., for this State in Massachusetts, was duly transmitted by General Houston to the Governor, and came to hand by the last mail.

In compliance with your wishes and those of Mr. Greene and General Houston, I am directed by the Governor to transmit to you the enclosed Commission.

The proper evidence of your qualification according to law, will be forwarded to this Department.

A copy of the Statute of this State concerning your appointment and duties, is also enclosed for your information.

I have the honor to be, Very Respectfully, your Ob. Svt.

W. D. Miller

Secretary of State.

State Department,
Austin, Sep. 7. 1848

His Excellency, N. S. Brown,
Governor of Tennessee — Nashville.

Sir,

Letter to Gov. of Tennessee.

In compliance with your Excellency's request, addressed to Gov. Wood, under date of the 1st Ult., I have the honor to inform your Excellency that a Commission has this day been transmitted to Mr. Ranorth, as Commissioner of Deeds &c., for this State in Tennessee.

I have the honor to be, Very Respectfully, Your Ob. Servant.

W. D. Miller

Secretary of State.

State Department,
Austin, Sept. 8. 1848.

Hon. G. T. Lusk,
Chief Justice of Leon County.

Sir,

Your communication, as Chief Justice of Leon County, requesting the opinion of the Attorney General on the question of the removal of the Seat of Justice of your County, has been submitted to the Office, with the request that he will transmit you his opinion thereon.

Note to C. J. of Leon, in relation to mb. to Atty. Genl.

I have the honor to be,
Very Respectfully,
Your Obt. Servant.

M. D. Miller,
Secretary of State.

State Department,
Austin, Sept. 8. 1848.

Hon. John M. Harris,
Attorney General.

Sir,

I submit herewith a communication received by last mail from the Hon. G. T. Lusk, Chief Justice of Leon County, and request that you will transmit him your opinion upon the question he has presented.

Note to Atty. Genl., submitting letter of C. J. of Leon.

I have the honor to be, Very Respectfully,
Your Obt. Servt.

M. D. Miller,
Secretary of State.

State Department,
Austin, Sep. 8. 1848.

George P. Langle, Esq.,
Asst. Editor of the
American Almanac — Boston.

Sir,

Letter to the Editor of the Am. Almanac.

In acknowledging your note of the 12th ultimo, addressed to the Hon. D. G. Burnet, late Secretary of State, and received last night, I beg leave to say that, under date of the 15th July, I addressed The Editor of the American Almanac, at Boston or Cambridge, enclosing exhibits of the Officers of Government, of the finances, and of the Census of the State since the date of Annexation or organization of the State Government.

I trust that this information may have reached you in season to be embraced in the forthcoming No. of your very useful publication. If the mails have been true, it must have gone to the Post Office either at Boston or Cambridge — the latter I think.

I am, very Respectfully,
Your Obt. Servant.

W. D. Miller.

Secretary of State.

State Department,
Austin. September 13. 1848.

To the Assessor and Collector
of Brazos County.

Sir,

Letter to Assessor of Brazos.

The Comptroller sent to this Office this morning what purports to be a Census Role of the inhabitants of Brazos County for the present year. It is however not signed or certified as the law requires, and therefore cannot be received as a proper or legal return.

I observed also that the electors in the paper referred to are included as such in the total of white population of the County. This is incorrect. The electors are supposed to be once included in the other classifications, under the various ages, from twenty one years upwards, and cannot properly be again counted in the total of population.

I transmit you herewith a printed form for returns, and a copy of the law.

Your return ought to contain the Certificate of the Clerk of the County Court that a duplicate thereof has been filed in his Office by you as required by law.

You will please make out a corrected return and forward to this Office. As it now stands, it will be impossible to give you a Certificate by which you can receive your compensation.

I have the honor to be,
Very Respectfully,
Your Obt Servt

W. D. Miller,
Secretary of State

State Department,
Austin, Sep. 13, 1848.

A. Benton Johnson, Esq.,
Chief Justice of Nueces County.

Sir,

Letter to C. J. of Nueces, in relation to return of election

Your communication of the 18th ult., transmitting your certificate of the election and qualification of A. G. Stakes, Esq., as Chief Justice of Starr County, is at hand.

I regret that this Department has never received any certificate of your election or qualification as Chief Justice of Nueces County; and in consequence of this fact, no Commission has been issued to you.

The laws of the last Legislature for your County were placed in the hands of the distributing agents at Houston,

whose the act of May, and ought to have reached your long since. Where they will yet reach cannot be known. If they do not, please advise me, and the proper measures will be pursued by mail.

Hence by mail a hasty letter rather to the timely receipt.

Have the honor to be,
Very Respectfully,
Your obt. Servant.

H. McMillen
Secretary of State

By the Governor of the State of Texas.
A Proclamation

Proclamation for election of Electors of President and Vice President and the Legislature.

Whereas, by the laws of this State and of the United States, an election for electors of President and Vice President, is to be held throughout this State on the Tuesday next after the first Monday in November of the present year;

Therefore, be it known, that I, George T. Wood, Governor of the State of Texas, by virtue of the power and authority in me vested by law, do hereby order and direct that an election be held in the several counties of the State, on the Tuesday next after the first Monday (the seventh day) of November next, for the choice of four electors of President and Vice President of the United States.

The said election shall be held in the same manner, in the same places, under the same regulations, and by officers or managers appointed in the same way, as in elections for members of the House of Representatives of the State Legislature; and each qualified voter shall be entitled to vote for the four electors of President and Vice President to which this State is entitled.

The Chief Justices of the several County Courts in case of vacancy in that office, or any inability of the Chief Justice to act, therein, two of the County Commissioners) shall give due notice of the said election, and appoint the proper presiding officers, before the same have not been already appointed by the County Court. The presiding officers shall appoint the judges and clerks

of observation, and such commendation, relating to the behaviour of our respective public Grammar Schools (and in case of vacancy in the offices or inability of the Grammar Schools Masters, then to the Bailiff Commissioners) of the respective Counties.

And the Bailiff Deputies (and in case of vacancy in their offices, or inability of the Bailiff Deputies to act, then by the County Commissioners) shall, each for his respective district, with out unnecessary delay, and after a due enquiry in order to obtain such information, a copy of the minutes of the directors, both as aforesaid respectively, to the Secretary of State at the City of London, and continue to do the same from time to time, as occasion shall require, and when any alterations shall be made in the said minutes.

And lastly, we do hereby signify, that we shall be ready to receive the Bailiff Deputies, and Commissioners, and consider the best plan of carrying this Act into effect.

Given at the City of London, the twenty-first day of September, one thousand eight hundred and forty, eight, being one of the anniversaries of the Birth of Queen Victoria the Queen, and of Prince Albert the Consort, the 21st year.

By the Queen:

H. Addington.

Secretary of State.

Gottfried

State Department,
Austin, September 15, 1848.

To the Honorable
The Chief Justice of Milam County.

Sir,

Letter to C.J. of Milam, transmitting opinion of Atty. Genl.

I enclose you herewith the opinion of the Attorney General of the State upon the questions propounded in your communication of the 21st Ultimo; from which it will be seen that the law does not require the residence of the District Surveyor at Cameron in the County of Milam; and also, that the returns of election for Surveyor made to you, in accordance with the law regulating elections, should be received.

It is proper to state that the returns for Surveyor in Burleson County, have been made direct to this Department by the County Commissioners

From the returns made to this Department, and your report of the polls in the several Counties composing the Surveyor, District, I should, under the opinion of the Attorney General, feel myself bound to issue a Commission to Mr. Hovolate.

I have the honor to be,
Very Respectfully,
Your Obt. Servant.

W. D. Miller,
Secretary of State.

Unofficial.

Austin, September 18, 1848.

Sir,

I enclose you herewith the Governor's Proclamation ordering the election for electors of President and Vice President of the United States, on the 7th of November next.

According to law the returns of the election must be made to the State Department on or before the 4th Monday of November, on which day they will be opened and the result declared and published. Those persons who may be chosen electors by the votes of the people, are by law required to meet at this place on the first Wednesday in December, and this will allow only some eight or nine days in which to notify them of their election and for them to travel to the seat of Government provided they waited for such official notice of their election before leaving home. To obviate this difficulty, I take the liberty of suggesting, that those of the nominees for electors who may suppose themselves to be elected should leave home so as to reach the City of Austin on the first Wednesday in December. Unless this course is pursued, the vote of the State in the Presidential election may be lost.

Letter to the candidates for Electors of President and Vice President.

I have the honor to be,
Very respectfully,
Your Obt. Servant.

W. D. Miller
Secretary of State.

To the Candidates for electors of President and Vice President — to wit:

Gen. Wm. C. Young — Clarksville, Red River County.
Dr. James R. Miller — Richmond, Fort Bend County.
Gen. Travis G. Broocks — San Augustine.
Hon. M. C. Dooley — New-Braunfels.
Hon. Wm. B. Archer — Nacogdoches.
Hon. R. H. Epperson — Clarksville
Hon. Saml. Yenger — Galveston

State Department,
Austin, September 18, 1848.

Hon. John H. Harris,
Attorney General, &c.

Sir,

In cases where Officers are appointed by the Governor in the recess of the Senate, and afterwards nominated to that Body and confirmed, do their official terms commence from the day of their original appointment by the Governor in the recess or from the date of their confirmation by the Senate? In other words, will a Notary Public, for instance, appointed by the Governor, in the recess, hold his office for four years from the date of such appointment, or for four years from his subsequent confirmation by the Senate?

Your opinion on the foregoing point is respectfully requested.

Note to the Atty. Genl., in relation to official terms.

I have the honor to be,
Very respectfully,
Your Obt. Servant

H. D. Miller,
Secretary of State.

State Department,
Washington, May 8th 1864.

To the Chargé d'Affaires
Secretary of State:
Washington.

Sir,

Will you be so good as to cause one copy of the form of ballot and directions observed by the State Constitution, of Louisiana in making out the lists of electors of President and Vice President chosen by the people, and also of the returns by the electors thereunder of their votes made to the President of the Senate of the United States and sent by mail and by a special messenger?

Your compliance with this request will much oblige.

Very respectfully,
Your obt. Servant
W. H. Seward
Secretary of State.

Letter to the Secy. of State of La. requesting certain forms.

Executive Office,
State of Texas.

To the authorities of the Republic of Mexico, Civil and Military.

Passport to Tho. M. Hawkins

The undersigned Governor of the State of Texas, respectfully solicits the aid and favor of such of the authorities of the Mexican Republic, to whom these presents may come, in behalf of Thomas M. Hawkins, the Bearer of this, who visits Mexico for the purpose of apprehending certain Negro Slaves fugitives from this State, and restoring them to their lawful owners.

This object Mr Hawkins proposes to effect by the cooperation of the authorities of Mexico, and in such a manner as is consistent with the laws and a proper respect for the dignity and rights of the Mexican nation. So far therefore, as you can consistently, with the laws of your Country you will confer a favor and ensure a hearty reciprocity on my part, by extending to him all reasonable and lawful assistance to promote his success in his purpose.

L. S.

Given under my hand and the Great Seal of the State, at Austin, this the 18th day of September, in the year of our Lord one thousand eight hundred and forty eight.

G. T. Wood

By the Governor:

W. D. Miller,

Secretary of State.

Executive Office,
Austin, September 18, 1848.

To L. B. Jones, Esq., One of the Committee &c.
Columbus, — Colorado County.

Sir,

Letter to a committee of the citizens of Colorado.

I have the honor to acknowledge the receipt of a petition from a meeting of the citizens of Colorado County, held at Columbus on the 8th day of July last, representing that much excitement exists among them, in consequence of many locations having been made upon the lands acquired by old settlers. This petition regards some immediate action as necessary to allay this excitement, and to "save the people from the difficulties that are apparent and pending," and asks me to call an extra session of the Legislature to adopt measures for their relief and protection, by confirming all grants made by Mexican authorities to settlers as colonists, by legalizing all sales and transfers made in good faith, and finally by declaring all locations and surveys made on such lands null and void.

I have given to the subject involved in your petition my most anxious consideration, due alike to my fellow citizens of Colorado County, and to the intrinsic importance of the subject, and I submit to them through you, the result of my reflections.

The citizens of Colorado County present in their petition for the consideration and action of the Executive, a state of facts of which he deeply regrets the existence, and earnestly sympathizes with them in their expression of feeling in relation to it, at the same time that he entertains opinions widely different as to the proper mode of relieving them from the evils which they apprehend.

I see it possible for the Executive to believe that it was in the power of the Legislature to relieve, even from their apprehensions, the old settlers and colonists of Texas, whatever might be its effects upon the finances of the State, he would not hesitate for a moment to afford it that opportunity; but not entertaining such to be the fact, and indeed regarding their apprehension, on this point, far greater than is justified by the dangers to which their titles are

really exposed, finds it impossible to realize in his mind such an emergency as to justify him in acceding to their wish by calling an extra session of the Legislature.

Were the appropriations of the last session of the Legislature drawn out of the State Treasury, on the first of January next, there would be only a balance of some five thousand dollars left. An extra session of the Legislature of thirty days duration, (and no reasonable hope can be indulged of its being shorter,) would cost twenty thousand dollars, which would leave us with an empty Treasury and a State debt of fifteen thousand dollars. This would be a state of things, the existence of which would be a matter of deep regret to the Executive; and to be unable to acquit himself of having produced it.

In regard to the opinion already intimated, that the Colonists of Texas are really not exposed to the degree of danger which they apprehend in the destruction of their land titles, the Executive is sustained in this view as well by his own apprehensions of the decisions of the Supreme Court, as by that of the most enlightened lawyers with whom he has had the opportunity of consulting.

The petition does not point out any particular decision of the Supreme Court at its last session out of which the difficulties complained of have arisen. One principle determined by that body, the application of which may possibly affect some cases, was that where a grant was obtained by a fraudulent misrepresentation of the facts necessary by law to obtain such grant, it was void, and no title passed from the Government. The Executive is far from thinking that this principle is at all applicable to or will ever injuriously affect the grant of a single colonist or actual settler in the country. Suppose this principle overruled, and its converse established as law, what would be its results? The confirmation of every grant made by the Mexican Government, whether of one, ten, forty, or four hundred leagues of land; for it would be impossible to frame a law, without partial legislation, so as to condemn the one class, and the same time protect the other. And while it might protect the few titles jeopardized by the opinion of the Supreme Court, it would by protecting equally the thousand enormous frauds upon the public domain in the shape of eleven leagues and other larger grants, send into the wilderness to seek a home all who have settled within the limits of these princely monopolies.

The decision of the Supreme Court in the case of Robertson's uncle Hunts heirs, has also been supposed to effect prejudicially the interests of many persons who were purchasers or holders under purchases made during the existence of the inability to sell on the parts of the grantee. The question involved in this case, was one purely concerning private rights, and the sole issue in it was: Were the Courts enforce or not a contract made contrary to law? It is a question which the Legislature can in no manner effect without a usurpation of judicial power, which if attempted would only render it more complicated and embarrassing, without strengthening or weakening by one iota the rights of either party.

Inasmuch therefore, as it is believed that, if the Legislature have the power and were to establish a different principle to govern the Courts in their adjudication of these questions, the evils and dissatisfaction would be far greater than exists as matters now stand, the Executive cannot with a proper regard to his Official duty accede to your request for an extra session. To call an extra session of the Legislature without being well assured that the object for which the call is made would be achieved by them when assembled, would be to subject the State to the certainty of vast expense — utterly to drain her Treasury without any assurance that the object desired would be effected; and to do so in this instance, where the Executive has reason to conclude that the relief asked for would not be extended, it would be doing not only a vain and idle thing, but a gross violation of official duty.

These reasons among many others which might be given, but not without extending this communication to an unreasonable length, render the Executive strongly disinclined to the call of an extra session. Should he however, become satisfied that it is the wish of a majority of the people of the State, that such a course should be adopted, he would yield to it promptly and cheerfully. Such manifestation of respect for their wishes will be alike his pleasure and his duty.

I have the honor to be,

Your obedient servant,

Geo. T. Wood

State Department,
Austin, Sep. 22, 1848.

James H. Causten, Esq.,
Washington City.

Sir,

In reply to your communication of the 2d instant, I have to state that there is no evidence in possession of this Department concerning the alleged seizure of the Schooner Mary Elizabeth, in the year 1842. There is however some correspondence of record here between the Chargé d'Affaires of the United States and the Secretary of State of the late Republic of Texas touching this subject; but no evidence of any kind appears to have been furnished by the party claimant. This correspondence will of course be found in the archives of the Department of State at Washington.

Letter to J. H. Causten, in relation to evidence in the case of the Schr. Mary Elizabeth.

I have no knowledge as to where the evidence you desire to procure is to be found. It may be in the Office of the Adjutant General of this State, who has charge of the Archives of the late Department of War and Marine, or it may be in possession of the Collector at Galveston.

This Department not being charged with the duty of settling claims against the late Republic, I cannot undertake to advise you as to what may or may not be required by the proper accounting Officers.

I have the honor to be,
Very respectfully,
Your Obt. Servant
W. D. Miller,
Secretary of State.

Executive Office

Remission of judgment vs Patrick and Gilchrist.

Whereas it has been represented to me that a judgment final was obtained and entered at the Spring term 1848 of the District Court for the County of Gonzales against James B. Patrick and Robert J. Gilchrist citizens of the said County for the sum of five hundred dollars as sureties on the bail bond of one Thomas Jones charged with the murder of one G. W. Lewis.

Now be it known, for satisfactory reasons placed before me, that I George T. Woods, Governor of the State of Texas, by virtue of the power vested in me by the laws and Constitution of the said State, do hereby remit the above said judgment of five hundred dollars as to the said James B. Patrick and Robert J. Gilchrist and do require the Clerk of the District Court for the County of Gonzales to make such entries on the records of the said Court as to release the said James B. Patrick and the said Robert J Gilchrist from the judgment so obtained and entered as aforesaid.

L. S.

Given under my hand and the Great Seal of the State at Austin this the 27th day of September, in the year of our Lord one thousand eight hundred and forty eight and of the Independence of Texas the thirteenth.

Geo. T. Wood

By the Governor:

W. D. Miller

Secretary of State.

1864.

Mule & Pfarrbauamt,
Neuburg, Sept 28. 1868

Col. M. L. Davis,
Post Master Hamilton:

Sir,

I have been informed some weeks since by some person that the package of Female Journals addressed to the County Clerk of Liberty County, and sent to Liberty through our Post Office, has been detained there and not delivered to the County Clerk. – The Postmaster at Georgetown has not been paid the postage, and the Clerk very properly refusing to pay it. Could you have failed to mark the package paid? Several months ago I sent a copy of Harper's Monthly, to procure regular receipt, & I feared on such contents in Mein and legible character.

Letter to Post-Master at Hamilton, in relation to postage.

I have to request that you will immediately write to the Postmaster at Georgetown, and if it has been so, have over the Journals to the County Clerk, that we may be relieved on very grievous charge to such subscriber etc.

I have the honor to be
Very respectfully,
Your obt. Servant
H. D. Miller
Postmaster pro tem.

State of Texas

Petitioner the undersigned respectfully represents that at the last session of the Legislature Legislature for Brazoria County, State of Texas, authorized and empowered the undersigned to act as commissioner of improvements for said county.

Beneficial of Sabine & Brazos & Matagorda

That in the discharge of duty of said office, the undersigned has been constantly confronted with the difficulty of improvements across the Sabine, Brazos, and Colorado Rivers, the difficulty of securing the right of the Legislature for the County of Brazoria to draw upon the revenue of the state. That in order to obtain information and relieve the state from embarrassment of improvements.

Petitioner prays that the Honorable Legislature may take the subject under consideration and provide such remedy as in the wisdom of the Legislature may be deemed proper.

L. S.

Respectfully Yours

Geo. Thorn

M. L. Millet

Notary Public

State Department,
Austin, Sept. 30. 1848.

Messrs. Brown & Tarbox,
Houston.

Gentlemen,

I have occasion to address you again in regard to the non delivery of the laws to certain Counties within the limits of your Contract for distribution. By the last mail, I received a complaint from the County of Victoria, that the laws had not yet been received there. Other Counties are in the like condition; and the consequence is much dissatisfaction, and the necessity of furnishing an additional number of copies by mail at considerable expense.

Letter to Brown & Tarbox, contractors for distributing laws.

I hope you will look into the matter, and endeavor to have those placed in your charge forwarded to their proper destination. No receipts have yet come in from the Counties of Brazoria, Jackson, Nueces, Refugio, Victoria, and Williamson. The probability is however, that the last named County has received its proper number. The others probably are still without them.

I have the honor to be,
Very respectfully,
Your Obt Servant.

H. P. Willett.

Secretary of State.

State Department,
Austin, Sept. 30, 1848

To the County Clerk of Victoria County.

Sir,

Letter to Co. Clk. of Victoria, in relation to laws

By a letter from Mr. Moody, received by the last mail, I am informed that the laws of the last session of the Legislature had not yet been received at your Office. Every exertion in my power was made to have the laws published at the earliest possible period after the adjournment, and also to have them distributed to the various Counties with certainty and despatch. I regret therefore to find that there has been in some instances good reason for complaint.

The laws were published about the first of May, and immediately placed in the hands of distributing agents at Houston. Messrs Brown & Tarbox were those employed for the western Counties; and it is certainly a little remarkable that they should have distributed them (as is the fact) to Goliad and San Patricio Counties, and yet not have delivered them to Victoria.

I forward by mail, postage paid, the requisite number of copies for your County and have written to Messrs Brown & Tarbox to ascertain the cause of their failure to deliver them in due season.

I have the honor to be,
Very respectfully,
Your Obt. Serv't

H. E. Miller,

Secretary of State.

The State of Texas.

To His Excellency the Governor of Coahuila and the other authorities Civil and Military of the Republic of Mexico.

Passport to J. A. Veatch.

Our citizen John A. Veatch being about to proceed to Mexico for the purpose of recovering and restoring to their owners certain fugitive slaves the property of the citizens of Texas, who have fled from their owners and taken refuge therein.

Therefore be it known that I George T. Wood, Governor and Commander in Chief of the State of Texas, approving of his object herein disclosed, and feeling great confidence in the man himself do solicit at the hands of your Excellency and at those of all others in authority, aid and cooperation in the purpose in hand in view so far as is conformable with the laws and institutions of Mexico, and in all like cases a cordial reciprocity will be extended on the part of Texas.

Given under my hand and the Great Seal of the State at Austin, this the thirteenth day of October, in the year of our Lord One thousand eight hundred and forty eight.

(L. S.)

Geo T Wood

By the Governor:

A. D. Miller,

Secretary of State.

Department of State,
Austin, October 18, 1848

The Secretary of State
Of the United States.

Sir,

I have the honor, by direction of Governor Wood, to acknowledge the receipt by the last mail, of the number of copies of the laws of the United States, first Session, thirtieth Congress, to which this State is entitled.

Note to Secy of State U.S. acknowledging receipt of laws.

I am, Sir,
Very respectfully,
Your Obt. Servant
H. D. Miller
Secretary of State.

State of Texas.

Whereas it has been represented to me that at the Fall Term of the District Court for the County of Travis in the year of our Lord one thousand eight hundred and forty seven, David Chandler, a citizen of the County of Travis was found guilty of manslaughter.

Remission of sentence of D. Chandler.

Now, Be it known that I George T. Wood, Governor of the State of Texas for divers satisfactory reasons to me made known, by virtue of the authority vested in me by the laws and constitution of the said State, do hereby pardon, and release the said David Chandler from the consequences and effects of the said verdict, and do hereby direct the Clerk of the District Court for Travis County to make such entry on the records of his Court as to give effect to this Act and release the said Chandler from his obligation to appear and submit to the sentence of the Court under the verdict found against him.

L. S.

Given under my hand and the Great Seal of the State, at Austin, this the twentieth day of October, in the year of our Lord, one thousand eight hundred and forty eight, and of the Independence of Texas the thirteenth.

By the Governor:

W. D. Miller,

Secretary of State.

Geo T Wood

State Department,
Austin, October 31, 1848.

Hon. Guy M. Bryan,

Sir,

Letter to G. M. Bryan, in relation to apportionment act.

In reply to the interrogatories contained in your note of this date, I have the honor to state, that some time in the forenoon of the 21st March, last, the Enrolling Clerk of the House of Representatives called at the State Department with the bill to which you refer, and remarked that he would, with my permission and as a matter of convenience to him, leave it on my table until he could notify the President of the Senate that it was ready for his signature. He did so; and the bill was shortly afterwards withdrawn and presented to the Executive; and thence, on the same day, officially deposited in this Department through the regular channel, the Governor's Private Secretary; and when thus deposited, it had the signatures of the Speaker of the House and President of the Senate, and the approval of the Governor thereto.

The endorsements on the original role on file are as follow.

"I certify that the foregoing act originated in the House of Representatives, and passed 20th March, 1848. Ben F. Hill, Ch'f Clk. H. R."

"Note. I certify that an act to apportion Senators and Representatives of the Legislature among the several Counties of this State, according to the requirements of the Constitution, passed the Second Legislature before the final adjournment, but not signed untie after the adjournment. John A. Greer, President of the Senate."

"Received in Executive Office, pro forma, March 20th, 1848. H. P. Brewster."

Very respectfully,
Your Obedient Servant
H. D. Miller,
Secretary of State

State Department,
Austin, Nov. 3. 1848.

L. Clark, Esq.
McKinney,
Collin County.

Sir,

Your favor enclosing the proceedings of a portion of the Citizens of Collin County, in relation to the Acts of the agents of Peters and others, Colony Contractors, came to hand by last mail. These proceedings will be filed in this Department, and submitted to the Attorney General for his examination.

Note to L. Clark acknowledging receipt of proceedings of meeting in Collin.

I have the honor to be,
Very respectfully,
Your Obt. Servant
M. D. Miller,
Secretary of State.

Presidential Election

Official

Be it known, that on this the 27th day of November, 1848, the returns so far as received, of the election held in this State, on the 7th instant, for Electors of President and Vice Presidents of the United States, were opened according to law; and the following is the result thereof:

Official return of vote for Electors of President and Vice Pres'd.

1848.

Counties	A. B. Miller	T. G. Brooks	W. C. Young	M. A. Lostley	W. B. Ochiltree	B. H. Epperson	E. H. Tarrant	J. W. Allen	Sam. Yeager
Anderson	229	230	229	229	83	80	83	70	9
Austin	175	175	174	174	45	45	45		45
Bastrop	191	191	191	191	42	42	42		42
Bexar	332	331		332	189	189	189	189	
Brazoria	172	172	172	172	83	83	83	83	
Brazos	33	33	33	33					
Burleson	64	64	64	64	9	9	9		9
Caldwell	99	99	99	99	27	27	27	27	
Calhoun	76	76	76	76	71	71	71	71	
Cherokee	302	302	302	302	110	110	110	110	
Collin	99	99	99	99	43	43	43		43
Colorado	68	68	68	68	20	20	20		20
Comal	105	105	105	106	14	14	14	14	
Dallas	209	209	209	208	57	42	57		42
Denton	46	45	46	45	7	7	7		7
De Witt	81	81	81	81	16	16	16	16	
Fannin	245	245	245	245	88	88	82	60	28
Fayette	175	174	174	175	92	91	92	62	29
Fort Bend	135	136	136	136	39	39	39	1	38
Galveston	235	234	234	234	217	216	217	214	1
Goliad	34	34	34	34	27	27	27	27	
Gonzales	92	101	101	101	58	58	58	58	
Grimes	186	186	186	186	53	53	53		53
Guadalupe	72	72	72	72	31	31	31	31	
Harris	443	441	441	441	289	289	287	1	288
Henderson	381	381	381	381	361	358	358	265	11
Hays	43	43	43	43	12	12	12	12	

Counties	G.B. Miller	T.J. Brooks	W.C. Young	M. Hooley	W.B. Whitton	A.H. Epperson	E.H. Tarrant	J.W. Collins	Saml. Forgey
Houston	161	161	161	161	24	24	24	23	1
Hunt	66	66	79	79	11	12	11	11	1
Jackson	61	61	61	61	13	13	12	13	1
Jasper	113	113	113	113	53	53	53		53
Lamar	358	358	358	358	186	186	186		186
Lavaca	34	34	34	34	13	13	13	13	
Leon	142	142	142	142	26	26	26	26	
Liberty	144	144	144	144	68	68	68	68	
Matagorda	79	79	75	75	69	66	66	69	
Medina	45	45	45	45					
Milam	119	119	119	119	38	38	26		26
Montgomery	163	163		163	59	59	59	18	41
Nacogdoches	313	312	313	313	97	96	82	59	37
Nueces	56	56	56	56	66	66	66	66	
Panola	194	194	194	194	43	42		38	43
Polk	107	107	107	107	56	56	56	16	40
Robertson	57	57	57	57	5	5	5	2	2
Rusk	455	455	455	454	202	202	201	186	19
Sabine	181	181	181	181	38	38	37	38	1
San Augustine	234	234	234	234	70	70	69	69	
San Patricio	26	26	26	26	5	5		5	5
Titus	296	296	296	296	123	123	94	85	57
Travis	249	213	249	248	29	29	28	16	9
Van Zandt	68	68	68	68	26	26		26	26
Victoria	86	86	86	86	87	87	87	87	
Walker	207	206	206	206	119	119	119	119	
Washington	373	373	372	373	123	123	123		123
Williamson	41	5	5	5	16	16	16		16
Wharton	51	52	52	52	26	26	26	26	
	8,801	8,733	8,283	8,771	3,777	3,754	3,622	2,490	1352

Indirect and Scattering Votes.

Denton County. Taylor and Fillmore, indirect, 3 each.

Medina " " " " " 22

Martin Van Buren 2. C. F. Adams 1.

Nacogdoches. E. W. Cullen 2.

G. W. Sinks 12.

Panola. Berry 3.
Taylor. 1.
Titus. S. B. Webb. 11.
Travis. G. W. Sikes 5.

No returns were received from twenty-three Counties.

In testimony whereof, I have hereunto set my name and affixed the seal of the State, at Austin, the 27th day of November, 1848.

L. S.

W. D. Miller,

Secretary of State

State Department,
Austin, November 27, 1848.

Sir,

I have the honor to advise you of your election by the people of this State as one of the Electors of President and Vice President of the United States.

Notification to Electors of President and Vice President.

I am, very respectfully,
Your Obt. Servant.

M. D. Miller,
Secretary of State.

Hon. James B. Miller,
Richmond.
Gen. T. H. Brooks,
San Augustine.
Gen. Wm. C. Young,
Clarksville.
Hon. Ab. A. Dooley,
New Braunfels.

The State of Texas.

Remission of sentence of Tho. Lewis.

Whereas it has been represented to me that Thomas Lewis, a Citizen of Cameron County, at the Fall Term One thousand eight hundred and forty eight of the District Court for said County was found "Guilty" of manslaughter and sentenced to one years imprisonment.

Now be it known that I George T. Wood Governor of the State of Texas for satisfactory reasons placed before me by virtue of the power vested in me by the Constitution and laws of the said State do hereby remit the said sentence of imprisonment, and do require the Clerk of the District Court for the County of Cameron to make a Mechanic on the records of said Court as to release the said Thomas Lewis from the effect of said sentence.

Given under my hand and the Great Seal of the State at the City of Austin, this the thirtieth day of November in the year of our Lord one thousand eight hundred and forty eight and of the Independence of Texas the thirteenth.

(L. S.)

By the Governor:

M. D. Miller,

Secretary of State

Geo T Wood

State of Texas.

Certificate of election of Electors of President and Vice President.

I the undersigned, Governor of the State of Texas, do hereby certify that according to the returns made in pursuance of law, of an election held throughout this State on the 7th day of November, 1848, James B. Miller, Travis G. Brooks, William C. Young, and M. A. Dooley, were chosen electors of President and Vice President of the United States for the State aforesaid.

In testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State, at Austin, the 5th day of December, 1848, and of the independence of Texas the thirteenth year.

L. S.

W. T. Mc Ng

By the Governor:

M. D. Miller,

Secretary of State.

Austin, December 6. 1848

Sir,

Report of the Electors of President and Vice President.

We the undersigned, Electors of President and Vice President for the State of Texas, herewith respectfully communicate, for record in your Department, the result of our proceedings as Electors as aforesaid.

We have the honor to be, very respectfully, Your Obt. Servants.

James B. Miller.
T. G. Brooks.
Wm. C. Young.
M. A. Dooley.

To
Secretary of State

State of Texas.

Austin, Dec. 6. 1848.

Appointment of Electoral Messenger.

The undersigned, Electors of President and Vice President of the United States for the State of Texas, do hereby appoint William R. Scurry, as Messenger, for the purpose of conveying to the President of the Senate of the United States Congress, a Certificate of their vote for President and Vice President for the State of Texas.

In testimony whereof we have hereunto affixed our hands and seals this 6th day of December, in the year of our Lord, one thousand eight hundred and forty eight.

James B. Miller (L.S.)

T. G. Brooks (L.S.)

Wm C. Young (L.S.)

M. A. Dooley (L.S.)

The State of Texas

Return of the election by the Electors for President and Vice President.

Be it Known that on this the 6th day of December, in the year 1848, the undersigned Electors of President and Vice President of the U. S. for the State of Texas, duly and legally elected by the people of said State on the 7th day of November last, to cast the vote of Texas in the election of President and Vice President of the United States, met in the Capitol at Austin, the Seat of Government of said State, and proceeded to vote by ballot for President and Vice President of the United States, the result whereof was as follows:

For President of the United States, Lewis Cass, of Michigan received Four votes.

For Vice President of the United States, William O. Butler, of Kentucky, received Four votes.

In testimony whereof we hereunto set our hands and seals at the City of Austin, Texas, the 6th day of Dec., 1848, and in the year of the Independence of the U. S. the seventy third and of Texas the thirteenth.

James B. Miller (Seal)
T. G. Brooks (Seal)
Wm C. Young (Seal)
M. A. Dooley (Seal)

Executive Office,
Austin, Dec. 19. 1848.

Appointment of James Webb and A. J. Hamilton as Special Supreme Judges.

Whereas it has been certified to me according to law that the Hon. the Chief Justice of the Supreme Court, and the Hon. A. S. Lipscomb, Associate Justice thereof are disqualified from sitting in the following causes on the Docket of the Supreme Court, by reason of having been of counsel in the same, to wit

Now theiefore to the end that a trial and determination of said causes may be had, I George T. Wood, Governor of the State of Texas by virtue of the power vested in me by the Constitution and laws of said State, do appoint and hereby commission James Webb, Esq., and Andrew J. Hamilton, Esq., persons learned in the law, to sit in said causes and to try and determine the same.

Given under my hand and the Great Seal of the State, at Austin, this the Eighth day of December, in the year of our Lord, one thousand eight hundred and forty eight, and of the Independence of Texas the thirteenth.

L. S.

By the Governor:

W. D. Miller,
Secretary of State.

Geo. T. Wood

State Department,
Austin, Dec. 21, 1848.

To Hon. Chief Justice of
County.

Sir,

Circular letter to C. Js., requesting return of vote for President and Vice President

Respectfully request that you will, at your earliest convenience, make returns to this Department of the votes cast in your County for the Electors of President and Vice President of the United States. This information is necessary in order to ascertain the entire vote polled throughout the State.

Very Respectfully,
Your Obt. Servant.

M. D. Miller,
Secretary of State.

Santa Fé
Webb
Refugio
Tyler
Cooke
Gillespie
Kaufman.

Executive Office,
Austin, October 6th 1848.

To His Excellency,
James K. Polk,
President of the United States.

Sir,

Letter to President Polk, in relation to Santa Fe.

The people of Texas have observed with much surprise the manifestation of a disposition on the part of some of the public men of the Union, to deprive them of a large and valuable portion of their territory, by prescribing for this State new and hitherto unrecognized boundaries; and their mortification is even greater than their surprise at the disregard of right and the violation of faith involved in this attempt.

That a certain boundary was determined upon and clearly defined and prescribed as such by the legitimate authority in Texas, is admitted on all hands, and that this same boundary was recognised by the Federal Government by the most solemn acts, and on more than one occasion, is capable of recorded proof.

From the very dawn of our Revolution, equally amidst the disasters and triumphs of our arms in its progress, the Rio Grande from its source to its mouth was insisted on as our western boundary; and in the darkest hour of that unequal struggle, a spirit so craven was not to be found in our ranks, who would have been satisfied with less. So universal and radical was this sentiment, that to have receded from this boundary would have been regarded as scarcely less inglorious than to have compromised the very principles of the Revolution itself. To have obtained peace and independence with such a boundary as that which is sought in some quarters to be foisted upon them, would have been regarded, at any period of their separate existence, as a victory without honor and a triumph without glory.

At the first session of our Congress, "an act defining the boundary of Texas" was passed, declaring our boundary as "commencing in the Gulf of Mexico, three leagues from land, to the mouth of the Rio Grande, thence up the principal

stream of the said river to its source, thence due north to the 42d degree of north latitude.

This then was our only boundary, our rightful, because our lawful one, and continued so without modification or abatement up to the period of the adoption of the Annexation Resolutions, and the Constitution of the State, and then if affected at all, only to be re-assured by the first, and re-asserted by the latter. The laws and institutions of a nation constitute her political identity as well as her political existence. They and those who represent them, are the only true exponents of her rights and her pretensions.

By these the Government of the United States were apprised of our boundary, and only through these could they acquire any knowledge on the subject at all; and thus advised, that Government in 1837, acknowledged our Independence, and so far as it was concerned, became thereby forever concluded from setting up any thing in opposition to it.

By the Resolutions of Annexation, it is provided, that "the territory properly included within and rightfully belonging to the Republic of Texas, might be erected into a new State to be called the State of Texas." A condition was coupled with these that "the Government of the United States should have the right to adjust all questions of boundary that might arise with other Governments." We might justly insist that this condition should be construed strictly, for that such is the rule no one will deny. Still give to it the greatest possible effect, and we are yet unable to bring the adjustment of the question of boundary between Texas and the General Government in this instance within its scope, for the reason that so far as this boundary is concerned, there can arise no conflict at all.

The object and purpose of this reservation in the Resolutions, cannot be misconceived. It was asked on the one hand and yielded on the other, in order that the Government of the United States might not have to approach the settlement of her actual or prospective difficulties with Mexico, clothed with only a qualified and imperfect power of adjustment. In a spirit of confidence which she hopes never to have occasion to regret Texas constituted the Federal Government her agent and trustee in the adjustment of her boundary. And had

that Government, induced by any of those high considerations of justice or national policy in exercising that trust, deemed it proper to yield a portion of the territory claimed by Texas remote from her settlements, and making fair compensation therefor as she would have been bound to do, not an expression of dissatisfaction would have been heard from her. This was a liberal and humane offering which she was prepared to make on the altar of peace. Construe this condition in any other wise, and suppose the power of adjusting our boundary to be a general one, Texas occupies a strange and anomalous position in the Union, unlike that of every other State. Instead of being a co-equal with them, she is made a mere appanage, dependant for her very existence upon the capricious favors of power.

Standing then in the relation of an agent or trustee towards Texas, the General Government, in any treaty or negotiation in regard to boundary, could not acquire a right to territory within limits even claimed by her, much less where that claim had been acknowledged on their part. To permit this to be done, would be a subversion of the settled principals of law and equity in such case. For it would be to allow the agent to contract against the rights of his principal, the trustee against those of his cestuiquel trust; the guardian against those of his wards, and to divert their acquisitions in these capacities to their own use.

If this position be true, then, there cannot exist a shadow of doubt that by the late Treaty of Peace with Mexico, the right of Texas to the line set up in her laws and restated in her Constitution, become absolute and perfect.

Independent of the effect upon this question of the recognition by the United States Government of the Independence of Texas in 1837, that Government has as I will proceed to show by fair deductions from some acts and by the direct force of others, recognised the claim of Texas as set up by her laws.

The Resolutions of Annexation provide contingently for the division of Texas into five States of convenient size; a provision evidently made with reference to our settled boundary, for it would have involved an absurdity to have made it with reference to that within which the attempt is being made to which we, embracing as it does

scarcely territory enough for one, instead of five States of convenient size.

Equally absurd and negatory is another condition of these Resolutions, providing that in the State or States, formed out of our territory north of 36 deg. 30 min., slavery or involuntary servitude shall be prohibited, had it not been made with a like reference to a boundary recognised as established above that line. ——— To suppose otherwise, is to adopt the unreasonable presumption, that the parties contracting through those Resolutions, made a subject of arrangement, territory in which neither the one nor the other has any right and to convict the Congress of the United States of doing and the people of Texas of assenting to an inept, a vain and a useless thing.

Again, the Congress of the United States, with rare unanimity, and without reference to party, declared on the 13th day of May, 1846, that war had been commenced by the act of Mexico. The act upon which this declaration was founded, and by which it could only be sustained, consisted in the attacking our army within the territory of the United States, and the declaration could only be made true by the assumption that the Rio Grande was the boundary of Texas, and the territory east of it a portion of the United States. And I am certain that the Government of the United States will never permit the reproach to be recorded in history against her, that she charged Mexico as an aggressor, and visited upon her with the sword the fearful consequences of an invasion of her soil, and afterwards when seeking no such future, and seeking a different end, she sought to repudiate the very title by which the truth of her declaration and her justification before the world could be established; and finally the Congress of the United States, on the 29th day of Dec. 1845, and by which the act of annexation became final, accepted and ratified our State Constitution by which all laws and parts of laws now in force in the Republic of Texas, which are not repugnant to the Constitution of the United States, the Joint Resolutions for annexing Texas to the United States, or to the provisions of this Constitution, shall continue and remain in force as the laws of this State, until they expire by their own limitation, or shall be altered or repealed by the Legislature

thereof." This act of acceptance and ratification cannot amount to less than that the Congress of the United States recognize in its provisions nothing against the Constitution of the United States, nothing in the shape of pretentions which that body was not willing to admit and endorse.

I have thus presented as I conceive fairly, the true questions involved in this matter, and earnestly solicit the attention of your Excellency to them, and to the necessity at an early day of disposing of this vexed question, in some authoritative and final manner.

This question of boundary, though seemingly only one of interest, is nevertheless to Texas a matter of honor. Encumbered with a large national debt, contracted in the course of her Revolution, she has to look to her public domain, as her only resource for its payment, and the acquittance of her obligations to those who generously aided her in her struggle. This consideration will render the acquiescence of Texas in any measure to obtain from her any portion of her territory, below 42 deg. or east of the Rio Grande, without ample compensation, and on other conditions by her to be imposed, utterly unattainable, and I am not authorized to say that it could be even obtained for that.

The last Legislature of the State passed an act to create and organize the County of Santa Fe, and to insure the object contemplated, the Executive of this State was instructed to request the President of the United States to issue orders to the military officers stationed in Santa Fe to aid the Officers in organizing the County of Santa Fe, and the 11th Judicial District of the State of Texas, and in enforcing the laws of the State, "and if necessary to call upon said Officers to put down resistance to the laws of Texas," which was transmitted to you on the 23d March, 1848.

In pursuance of law, Hon. Spruce M. Baird, was appointed Judge and James W. Webb, Esq., chosen District Attorney for the Eleventh Judicial District, that being the County of Santa Fe. These gentlemen are now on their way to enter upon the discharge of their duties. To the former is confided by the law creating the County of Santa Fe, the duty of its proper organization. And I embrace the present

opportunity to repeat the request already made, that you will instruct the United States Officers in Santa Fe, to extend every lawful aid to Judge Baird which he may have occasion to require, in furtherance of the organization with which he is charged.

And, Sir, I cannot close this communication, without rendering to you the thanks of the people of Texas for the zeal which you have manifested on all proper occasions for our interests, and especially for the favorable sentiments which you have thought proper to express in your message to the Congress of the United States, at its late session.

I have the honor to be, with high consideration, your Excellency's Obedient humble servant.

Geo. T. Wood

State Department,
Austin, January 15, 1849.

To the Board of Managers
Of the Washington National Monument,
Washington City.

Gentlemen,

By direction of Governor Wood, I have the pleasure to acknowledge the receipt of a piece of the Corner Stone of the Washington National Monument, laid July 4, 1848.

Note to the Managers of the Washington National Monument.

The Governor, on behalf of the State of Texas, tenders to the Board of Managers his thanks for this precious fragment of a great work designed alike to commemorate the virtues and services of the Father of His Country and to illustrate the gratitude of the American People. I have the honor to be,
Gentlemen,
Very respectfully,
Your Obt. Servant.

W. D. Miller,

Secretary of State.

State Department,
Austin, January 26, 1849.

Hon. S. W. Harris,
Attorney General.

Sir,

Note to the Atty. Genl., in relation to senatorial election &c.

I beg leave respectfully to ask your opinion, whether, under the provisions of the Constitution relative to the apportionment and classification of Senators, and also under the provisions of the Act of the last Session "to apportion Senators and Representatives of the Legislature among the several Counties of this State, according to the requirements of the Constitution," the Governor can issue his proclamation for the election of Senators, at the next August election, without reference to their terms as fixed by the existing classification?

Your reply at an early day will oblige.

Your Obt. Servant

M. D. Miller,

Secretary of State.

State Department,
Austin, February 6. 1849.

Hon. S. Miller,
Secretary of State
of Pennsylvania.

Sir,

I have the pleasure to acknowledge the receipt, by the last mail, of the copy of Purdon's Digest of the Laws of Pennsylvania, which your favor of the 20th April last advised me you had procured and forwarded to Washington to be transmitted to this Department by the Hon. Mr Kaufman one of our Representatives in Congress.

Note to Sec'y of State of Pa., acknowledging the donation of a digest of the laws of Pa.

I thank you very sincerely, on the part of this State, for this contribution to our Public Library; and I beg to assure you of our readiness to reciprocate the courtesy to the utmost extent that may hereafter be in our power.

I have the honor to be,
Very respectfully,
Your Obt. Servt.

M. D. Miller,

Secretary of State.

The State of Texas

Remission of sentence of Daniel an Indian.

Whereas, it has been represented to me that Daniel, an Indian, of the Muscogee tribe, was at the Fall term of the District Court for Polk County, found guilty of manslaughter, and sentenced to five years imprisonment by the Court.

Now, Be it known that I, George T. Wood, Governor of the State aforesaid, for satisfactory reasons to me made known, by virtue of the power vested in me by the Constitution and Laws, do pardon the said Indian Daniel, and require the Sheriff of the said County of Polk to release him from imprisonment and make return thereof to the District Court of said County, for all of which this is his sufficient warrant.

Given under my hand and the Great Seal of the State, at Austin, this tenth day of February, A.D. One thousand eight hundred and forty nine, and of the Independence of Texas the thirteenth.

L. S.

Geo. T. Wood

By the Governor:

W. D. Miller,

Secretary of State.

Remission of fine of John Green.

The State of Texas.

Whereas it has been represented to me that John Green, a Citizen of Tyler County, was at the Spring Term, 1848, of the District Court for said County fined in the sum of one hundred dollars, upon an indictment then tried.

Now Be it Known that I George T. Wood, Governor of the State aforesaid for satisfactory reasons to me made known, by virtue of the power vested in me by the Law and Constitution do remit the said fine of one hundred dollars, and direct the Clerk of the District Court of the said County to make such entry on the records of said Court as to give effect to this Act.

L. S.

Given under my hand and the Great Seal of the State, at Austin, the tenth day of February, A.D. one thousand eight hundred and forty nine.

Geo T Wood

By the Governor:

W. D. Miller,

Secretary of State.

The State of Texas.

Appointment of A. J. Hamilton as Special Supreme Judge.

Whereas it has been certified to me that there is no competent Court to try the appeals in the cases of William Gowings vs Elisha A. Loyd, No 138, and Loyall Yanks vs Napoleon B. Thompson No 196, on the Docket of the Supreme Court, in consequence of the resignation of Hon. Thomas J. Jennings, Special Associate Judge, and the Hon. A. S. Lipscomb, and Royal T. Wheeler, having been of Counsel therein.

Therefore, Be it known, that I, George T. Wood, Governor of the State of Texas by virtue of the authority vested in me by the Constitution and the law do hereby nominate and appoint Andrew J. Hamilton a gentleman learned in the law, to sit in the said causes, and try either with such member of said Supreme Court as may be competent to sit therein to hear, try and determine the said causes.

Given under my hand and the Great Seal of the State, at Austin, this the tenth day of February, in the year of our Lord, one thousand eight hundred and forty nine.

L. S.

Geo T Wood

By the Governor:

W. D. Miller.

Secretary of State.

State Department,
Santa Fe, February 19. 1849

James L. Collins, Esq.,

Sir,

You will receive herewith a commission, signed by His Excellency Governor Mont, as Notary Public in and for the County of Santa Fe in this State. This appointment will remain in force, from and after the date of your qualification, according to law, until the adjournment of the next regular session of the Legislature of this State. You may, however, be probably re-nominated to the Senate, at its next session for confirmation. In that case, if the nomination be confirmed, your power and duties will be continued from that date for the term of four years, or until superseded by another appointment. See the law of the first Legislature regulating the appointment and duties of Notaries Public, to which you will have and hereafter strictly conform.

Your attention is particularly directed to the 3d. section of the act of the 13th May, 1846, page 341, of the laws of the first Legislature. If you have been recorded in any other County than that of Santa Fe, it will nevertheless have to be approved by the proper authority of the County of Santa Fe. The law, however, in all cases will be your best guide, and you are expected in all things to conform strictly to its provisions.

I have the honor to be,
Very respectfully,
Your Obt. Servant.

W. D. Miller,

Secretary of State.

State Department,
Austin, Feb. 20. 1849.

To the Honorable
The Chief Justice
of Cathoun County.

Sir,

Letter to C. J. Calhoun, informing of appointment of Justices of the Peace.

The Governor having been advised that the Office of Commissioner of Votes for Jas Carolla has been vacated by the removal of James H. Byrne, and the refusal to accept an office of a Notary Public by Thos. M. Peake, has appointed in their stead John H. Cox and Robert Nelson. It appears from the Register of this Department that Wm Linguster Hainesin Office as Commissioner of Votes, and also, Thomas Moore. In addition to these four the Governor has appointed Samuel A. Cooper — making the whole number four.

You will please advise the gentlemen, now appointed that your Commission are ready to be delivered on their qualifying according to law.

I have the honor to be,
Very respectfully,
Your obt. Serv't,

W. D. Miller

Secretary of State.

In the name and by the authority of the
State of Texas.

To all to whom these presents shall come — Greeting:

Appointment of W. Alexander Special Supreme Judge.

Know Ye, That I, George T. Wood, Governor of the State of Texas, reposing special trust and full confidence in the Honor and Patriotism, Fidelity and Capacity of William Alexander, have constituted and appointed, and do, by these Presents, constitute and appoint him the said William Alexander, to the of Special Associate Justice of the Supreme Court, in the following certified cases, viz; William Gowings vs Elisha A. Loyd, Wyatt Hanks vs Napoleon B. Thompson, Jas. F. Perry, ext vs Elizabeth Pettus, adm^x; Campbell, et al, vs Norton.
Giving and hereby granting to him, the said William Alexander, full power and authority, as such, to exercise and discharge, all and singular, the Duties, Rights, Obligations and Trusts, under the Constitution and Laws, to his said Office incident or appertaining: To Have and to Hold the same, with all and every the immunities, and honors, perquisites and emoluments hereunto belonging, for and during and until the full end and term of his said appointment.

Given under my Hand, and the Great Seal of the State; at the City of Austin, this twenty-third day of February, in the Year of our Lord, one thousand eight hundred and forty nine; of the Independence of the United States of America, the seventy third, and of Texas, the thirteenth.

L. S.

By the Governor:

W. D. Miller,
Secretary of State.

Geo. T. Wood

State Department,
Austin, Mar. 3. 1849.

Messrs. Cruger & Moore,

Gentlemen,

Letter to Cruger & Moore in relation to journals.

Can you inform me what has become of the printed journals of the House of Representatives, which were to be forwarded by you to this Department? I presume they must have left Houston some time since for this place, but up to this day I have neither received any advice of their being sent forward nor had any information, direct or indirect, concerning them on the road.

I have received as yet but a single copy, and that was sent to the Post Master here and by him handed to me.

Inquiries by letter and otherwise are so frequently made for copies of them, I feel embarassment as well as anxiety on account of the great delay in their delivery.

I am,
Very respectfully,
Yours

M. D. Miller,

Secretary of State.

State Department,
Austin, March 14, 1849.

Hon. John M. Harris,
Attorney General,
&c. &c. &c.

Sir,

Application has been made to the authorities of this State, by certain citizens of the County of Santa Fe, for the privilege of working certain salines situated between the Rio Pueco (or Pecos) and Rio Grande. These persons propose to work the salines under a lease from the State, and to pay into the State Treasury a stipulated per centage upon the value of the resulting product.

I beg leave to ask your opinion whether the Governor, under the provisions of our laws, possesses the authority to grant such lease and enter into a contract of the kind for a term of years?

I submit for your examination the proposals above referred to.

I have the honor to be,
Very respectfully,
Your Obt. Servt.

W. D. Miller,

Secretary of State.

Lakes &c. in

Santa Fe Co.

ty, submitted to the Atty. Genl.

Santa Fe Dec. 7th 1848.

To the Honorable W. D. Miller,
Secretary of State.

Memorial of certain citizen of Santa Fe in relation to bearing the salt lakes, &c.

The undersigned respectfully beg leave to represent that there are situated within the territory claimed by the State of Texas lying between the Rio Grande and Rio Puerco or as is called here the Rio Pecos, some Salines or Salt lakes which the undersigned are induced to believe might be made a source of considerable revenue to the State at no distant period if proper measures were adopted for that purpose and if those lakes be reserved by the Government. The precise locality of those lakes the undersigned are not fully and definitely apprised of, not enough so at this time to specify them either by name or there locality with certainty as they have hitherto and up to this time been almost exclusively known and resorted to by Mexicans and Indians for the purpose of supplying themselves. The undersigned are informed however that the lakes referred to are situated between the Rio Grande and Pecos, the town of Santa Fe being not far from the head waters of either. The lakes lie below Santa Fe and adjacent to the Mexican border and supply a large portion of northern Mexico with salt; For example the towns of Chihuahua and Paso Del Norte and others they get it without paying any consideration whatever by going in companies sufficient for self protection against the Indians, and making the salt by evaporation and dipping, the water being so strong as to be in a crystalized state of crystalization. These lakes are in the heart of the Apache country who are hostile and a warlike tribe. There can be any quantity of salt procured by adopting proper measures and constructing the necessary improvements to supply all the surrounding country including Santa Fe which now depends to some extent on the Missouri trade for a supply, a large scope, in fact all Northern Mexico and perhaps the entire Rio Grande Valley. For though there are other salines yet

we are informed they cannot compete with the salines referred to in the facilities of making, and the quality of the salt. These salines according to the information we have on the subject are few in number of such character that unless we have the privilege over a large scope of country, we could not prevent others from selling salt and hence they could not be profitable to either the government or any one working them under the sanction and authority of the government under existing circumstances they are almost entirely useless to the population of the United States but are used exclusively and almost exclusively by the citizens of Mexico and hostile Indians. After thus laying after the information we have on the subject before you our object is to ask permission to work such salines as may be profitable to the government and the undersigned within the scope of country above specified under the sanction and authority of the government on such terms as may be thought compatible with the interests of the government and the undersigned and for the purpose of arriving at a just conclusion as to the terms upon which such authority should be granted, we beg leave to state that they are situated in an uninhabited region in the heart of the Apache Nation, and that it would require some force and fortifications to protect the salines and those employed at them. It would also require sometime and a good deal of expense to put them into successful operation and to establish a certain market. They would have to be protected against both Indians and Mexicans and could not yield much profit taking into consideration the necessary expenses for several years to come. We therefore propose if the necessary sanction or authority be granted us to put them into operation within one year after we shall receive such authority. To furnish a sufficient force to repel the indians at our own expense and likewise make the necessary improvements for the gratuitous use of such salines as we may find it profitable to work for the term of five years with a renewal of the same powers in ale of two years paying five per cent on the net proceeds for the last five years with the privilege of renewing the contract thereafter upon such terms as may be agreed upon binding ourselves under such bonds and penalties, as the government

may impose for the faithful performance of our engagements and for the rendition of a true account and prompt payment of all such dues as may justly accrue to the Government. The necessary capital to put these things into operation, we can control at any times. The propositions are submitted as the basis of a contract which may be varied if necessary and in anticipation of course of the ultimate establishment of the claim of Texas to this country, all of which is respectfully submitted. You will please answer us immediately, by directing your letter to Spruce M. Baird, Santa Fe. Care of Mr. C. M. Boyers, Independence, Mo.

William McRees
G. H. Peacock
J. J. Bowdry, Mr. D.
Spruce M. Baird.
Thomas Moolance
A. C. Thomas.
Wm. C. Ardinger
C. M. Boyers.

(Circular)

State Department,
Austin, March 15, 1849.

To the Assessor and Collector
Of the County of

Sir,

Circular to Assessors in relation to the Census of 1848.

Up to this time, no returns have been received at this Department, of the enumeration of the inhabitants of your County, for the year 1848. The law of the 20th March, 1848, (page 310) requires that the Assessors of Direct Taxes, of each County of the State, shall make an enumeration and classification of the inhabitants of their respective Counties, and forward a return thereof to this Department. It is now respectfully requested that you will immediately make the said return. It is desirable to have it at the earliest practicable period; I therefore take the liberty of urging your particular attention to this request.

I have the honor to be,
Very respectfully,
Your Obt. Servt.

M. D. Miller,
Secretary of State.

Counties of
Kaufman,
Nueces,
Caldwell,
Cameron,
Cooke,
Rusk,
Shelby,
Starr,
Van Zandt
Victoria,
Walker and Webb.

The State of Texas.

To the Authorities, Civil and Military, of the Republic of Mexico.

Passport to D. K. Torrey.

Whereas, Colonel David K. Torrey, a citizen of this State, having expressed a desire to visit the Republic of Mexico,

Therefore I, George T. Wood, Governor of the State of Texas, do, by these presents, request that the said Colonel David K. Torrey, the bearer hereof, be permitted freely to pass and repass through the Republic of Mexico, and in case of need to render him lawful aid and assistance, he conducting himself according to the laws and customs of Mexico.

In testimony whereof the Great Seal of the State is hereunto affixed. Done at the City of Austin, this nineteenth day of March, one thousand eight hundred and forty nine, and of the Independence of Texas the fourteenth year.

L. S.

Geo T Wood

By the Governor:

W. D. Miller,

Secretary of State

(Circular).

State Department,
Austin, April 2, 1849.

To the Honorable Chief Justice of

Sir,

Circular to C. J's. in relation to the vote on proposed amendment of the constitution.

Enclosed herewith you will receive a copy of the Governor's Proclamation directing a vote to be taken in the several counties of the State on the first Monday in August next, upon the proposed amendment to the Constitution. You will please give particular instructions to the precinct presiding officers of your county how to proceed in taking the said vote and the manner of making their returns to you.

It is the opinion of the Attorney General that the Constitution contemplates that the vote on the proposed amendment should be given viva voce, and that lists of the names of all those voting for Representatives in the State Legislature should be returned to the Secretary of State, and that said lists should show the vote of each person placed opposite his name, for or against the proposed amendment.

It is therefore respectfully suggested that you will direct the precinct presiding officers to keep such lists, and propound to each voter voting for representative in the State Legislature, the question, whether he votes for or against the said proposed amendment to the Constitution: and immediately cause his vote to be placed opposite his name on the list:

The Constitution appears to contemplate a majority of all those voting for Representatives in the State Legislature, as necessary to an amendment of that instrument. Hence the importance of having a return of the names of all persons voting for representatives, whether they vote upon the question of the proposed change in the Constitution or not.

From the precinct lists returned to you, you will immediately compile a full, complete and correct list of the names of all those voting for Representatives in the State Legislature, and place on said list, opposite the

names of all those voting on the proposed amendment to the Constitution, some word designating those votes cast for and those cast against the adoption of the said proposed amendment: This complete list, you will transmit by mail, sealed, to the Department of State.

I have the honor to be,
Very Respectfully,
Your Obt Servant.

M. D. Miller,

Secretary of State.

By the Governor of the State of Texas.

A Proclamation.

Proclamation for a vote on the proposed amendment of the constitution.

Whereas, by a joint resolution of the last session of the State Legislature, approved March 14, 1848, a certain amendment to the Constitution of the State is proposed; which Joint Resolution is in the words and figures following, to wit:

"Joint Resolution proposing an amendment to the Constitution of the State of Texas.

Section 1. Be it resolved by the Legislature of the State of Texas, That the Constitution of the State of Texas be so altered and amended, that the Judges of the Supreme Court, Judges of the District Courts, Attorney General, District Attorneys, Comptroller of Public Accounts, Treasurer of the State, and the Commissioner of the General Land Office, shall at the expiration of their respective terms of office, or in case a vacancy may occur in either of them, by death, resignation or otherwise, after this amendment takes effect and thereafter, be elected by the qualified electors of the State in the manner prescribed by law,

Sec. 2. Be it further resolved, That the election for District Judges and District Attorneys shall be confined to their respective Districts.

Sec. 3. Be it further resolved, That the Governor cause this resolution to be duly published in the public prints of the State, at least three months before the next general election for representatives of the State Legislature."

And whereas, the thirty-seventh section of the general provisions of the Constitution provides as follows:

Sec. 37. The Legislature, whenever two-thirds of each house shall deem it necessary, may propose amendments to this Constitution; which proposed amendments shall be duly published in the public prints of the State, at least three months before the next general election of Representatives, for the consideration of the people, and it shall be the duty of the several returning officers, at the next election which shall be thus holden, to open a poll for and make a return to the Secretary of State, of the names of all those voting for Representatives, who have voted on such proposed amendments, and if thereupon it shall appear that a majority of all the citizens of this State, voting for Representatives, have voted in favor of such proposed amendments, and two-thirds of each House of the next Legislature shall, after such election, and before another, ratify the same amendments by yeas and nays, they shall be valid to all intents and purposes, as parts of this Constitution: provided, that the said proposed amendments shall at each of the said sessions have been read on three several days, in each House."

Now, therefore, I, George T. Wood, Governor of the State of Texas, do, hereby, in pursuance of the requirements of the law and the Constitution, order and direct that the above recited Joint Resolution be published in the public prints of this State, for the consideration of the people, at least three months previous to the next general election to be held throughout this State, on the first Monday (the 6th day) of August ensuing. And I do further order and direct the Chief Justices of the several Counties (and in case of vacancy in the office of Chief Justice, or the inability of that officer to act, then any two of the County Commis-

sioners) to cause polls to be opened at the several precincts in their respective counties on the said first Monday (the sixth day) of August next, and the votes of all those voting for representatives in the State Legislature to be taken for and against the adoption of the said proposed amendment.

The Chief Justices of the several Counties, (and in case of vacancy in the office of Chief Justice, or the inability of that Officer to act, then any two of the County Commissioners) will return to the Secretary of State, complete lists of the names of all those voting for Representatives in the Legislature, which lists must show who voted for and who voted against the said proposed amendment as well as the names of those who did not vote, at all upon the question, as a majority of the whole number of votes cast for Representatives throughout the State seems to be contemplated as necessary to an amendment of the Constitution.

L. S.

In testimony whereof, I have hereunto set my hand, and caused the Great Seal of State to be affixed, at Austin, the second day of April, 1849, and of the Independence of Texas, the fourteenth year.

Geo T Wood

By the Governor:

W. H. Miller,

Secretary of State.

State Department,
Austin, April 14, 1849.

To the Honorable Spruce M. Baird,
Judge of the Eleventh Judicial District.

Sir,

Letter to the Judge of the Eleventh District.

Your communications of the 10th November, and 10th and 18th December last, have been at hand since the 14th ult.

From your letters, we are led to believe that the state of the public feeling in your District is not as unfavorable to the rights of this State as it had been represented by certain interested individuals.

It is the wish of the Governor that you will labor to conciliate the people of that remote frontier, and induce them to concur in the organization provided for them by our last Legislature. Their interests doubtless will be subserved by a ready and full compliance with our laws.

The obstacles which you mention as in your way, arising from the existing military occupation of Santa Fe by the troops of the General Government will probably be removed during the ensuing sessions of our Legislature and Congress, if not before.

It is requested that you will not fail to forward to this Department, as soon as may be, the originals, or a copy, of your correspondence with the military authorities of Santa Fe.

With every disposition on the part of Governor Wood to do all in his power to encourage the developement of the natural resources of the State, he submitted the proposals of Wm. McNees and others to the Attorney General for advice as to his authority under existing laws to enter into a contract for improving and working the salines, between the Puerco (or Pecos) and Rio Grande, for a specified term of years as desired by those gentlemen. The Attorney General, after a full investigation of the subject, has given it as his opinion that the Governor is not vested with the requisite authority to conclude

such an arrangement; and consequently that it will require an act of the Legislature to authorize the Contract.

The Governor directs me to say that he will submit to the Legislature, which meets in this place on the first Monday in November next, any petition and propositions which the parties interested may see proper to forward to him for that purpose, and ask of them action thereon.

I have the honor to be,
Very respectfully,
Your Obt. Servt.

W. D. Miller.

Secretary of State.

State Department,
Austin, Texas, April 14, 1849.

C. M. Boyers, Esq.,
Independence, Missouri.

Sir,

Your letter and the proposals of yourself and others, concerning a lease from this State of the salt lakes or salines lying between the Puerco (or Pecos) and Rio Grande, were duly received together with a communication from Judge Baird on the same subject.

In reply, I am instructed by Governor Wood to say that he submitted the question of his authority under existing laws to make such a lease, to the Attorney General, who has decided that the Governor cannot, without further legislative provision, do so.

It will therefore be proper for you to address yourself by petition directly to the Legislature, submitting your proposals and asking the necessary action thereon.

The Legislature meets in this place on the first Monday in November next. The Governor will communicate to that branch of the Government such petition and proposals as you may forward to him for that purpose.

I have the honor to be,
Very respectfully,
Your Obt. Servt.

W. D. Miller
Secretary of State.

Letter to C. M. Boyers in relation to his proposals for leasing salt lakes &c.

State Department,
Austin, April 16, 1849.

To the Assessor and Collector
of Henderson County.

Sir,

Letter to Assessor of Henderson, in relation to census.

As no returns of the census for the year 1848, have yet been received for the Counties of Van Zandt and Kaufman, I deem it important to inquire of you whether or not the enumeration for those two counties was not included in your return for the County of Henderson?

If so, you will please so correct your return so as to show the exact number of the several classes of population contained in the Census of the Counties of Van Zandt and Kaufman respectively, which will be deducted from the census already returned for Henderson County. This is important, as it will be necessary to have the enumeration of the several Counties separately, in order to make the next apportionment of representation. And therefore your immediate attention is called to this request.

I have the honor to be,
Very respectfully,
Your Obt Servt

M. D. Miller,
Secretary of State.

State Department,
Austin, April 16, 1849

To the Assessor and Collector
of Grayson County,

Sir,

As no return of the Census for the year 1848, has been received for the County of Cooke, I deem it important to inquire of you whether or not the enumeration for that County Grayson, in was not included in your return for the County of Grayson? If so, you will please to correct your return as to show the exact number of the several classes of population contained in the Census of Cooke County, which will be deducted from the census already returned for Grayson County. This is important, as it will be necessary to have the enumeration of the several Counties separately, in order to make the next apportionment of representation. And therefore your immediate attention is called to this request.

Letter to the Assessor of Grayson, in relation to the Census

I have the honor to be,
Very respectfully,
Your Obt Servant

M. D. Miller,
Secretary of State.

By the Governor of the State of Texas.

A Proclamation.

Proclamation for general election.

Whereas, by an act of the Legislature, approved March 20, 1848, it is required that an election for Governor, Lieutenant Governor, and Commissioner of the General Land Office, be held throughout this State on the first Monday in August next:

Now therefore, I, George T. Wood, Governor of the State of Texas, do, by virtue of the authority in me vested, hereby order and direct that polls be opened at the several precincts of the respective counties in this State, on the first Monday (the sixth day) of August next, for the election, by ballot, of a Governor, a Lieutenant Governor and a Commissioner of the General Land Office. The Chief Justices of the several counties (and in case of vacancy in the office of Chief Justice, or inability of that officer to act, then any two of the County Commissioners) will, accordingly, give due notice and cause polls to be opened at the several precincts of their respective counties, on the said first Monday (the sixth day) of August next, for the election as aforesaid, of a Governor, a Lieutenant Governor, and a Commissioner of the General Land Office of this State. The returns of the election for Governor and Lieutenant Governor will be properly made out, sealed up, and transmitted by the Chief Justices of the several counties, (and in case of vacancy in the Office of Chief Justice, or inability of that Officer to act, then by any two of the County Commissioners) to the Speaker of the House of Representatives, at the City of Austin, endorsed "Election Returns for Governor and Lieutenant Governor." The returns of the election for Commissioner of the General Land Office, will, in like manner, be made out separately, sealed up, and transmitted to the Secretary of State.

And whereas, by the said act, it is also required that an election be held in the several precincts of the respective counties of the first and second Congressional Districts, for Representatives in the Congress of the United States:

Therefore, I do hereby further order and direct that the Chief Justices (and in case of vacancy in the Office of

Chief Justice, or the inability of that officer to act, then any two of the County Commissioners) of the counties of Anderson, Angelina, Bowie, Cass, Cherokee, Collin, Cooke, Dallas, Denton, Fannin, Grayson, Harrison, Henderson, Hopkins, Houston, Hunt, Jasper, Jefferson, Kaufman, Lamar, Liberty, Nacogdoches, Newton, Panola, Polk, Red River, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Tyler, Upshur, and Van Zandt, respectively, composing the First Congressional District; and of the counties of Austin, Bastrop, Bexar, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Cameron, Colorado, Comal, De Witt, Fayette, Fort Bend, Galveston, Gillespie, Goliad, Gonzales, Grimes, Guadalupe, Harris, Hays, Jackson, La Baca, Leon, Limestone, Matagorda, Medina, Milam, Montgomery, Navarro, Nueces, Refugio, Robertson, San Patricio, Starr, Santa Fé, Travis, Victoria, Walker, Washington, Webb, Williamson, and Wharton, respectively composing the Second Congressional District, give due notice and cause polls to be opened at aforesaid, at the several precincts of their respective counties, for the election of a Representative in the Congress of the United States for the District to which the said counties may respectively belong, and due return thereof make, according to law, to the Secretary of State, endorsed "Election Returns for Representative in Congress."

And <u>Whereas</u>, The Legislature at the last session, did, under the requirements of the Constitution, and according to the Census of the year 1847, apportion the Senators and Representatives of the several Districts and Counties in this State:

Therefore, I do hereby further order and direct, that the Chief Justice of the several Counties (and in case of vacancy in the Office of Chief Justice or inability of that officer to act, then any two of the County Commissioners) give due notice, and cause polls to be opened, as aforesaid, at the several precincts of their respective counties, for the election of Senators and Representatives in the next State Legislature, as follows, to wit:

Senators.

District No. 1 — Bowie, Cass and Titus — will elect one Senator, and make returns to the Chief Justice of Cass County.

Dist. No. 2. — Red River and Lamar — will elect one Senator, and make returns to the Chief Justice of Red River County.

Dist. No. 3. — Fannin, Hopkins and Hunt — will elect one Senator, and make returns to the Chief Justice of Fannin County.

Dist. No. 4. — Grayson, Cooke, Denton, Dallas, Collin, Henderson, Kaufman and Van Zandt — will elect one Senator and make

returns to the Chief Justice of Collin County.
Dist. No. 5. — Rusk and Panola — will elect one Senator, and make returns to the Chief Justice of Harrison County.
Dist. No. 6. — Smith, Harrison and Upshur — will elect one Senator, and make returns to the Chief Justice of Rusk County.
Dist. No. 7. — Nacogdoches and Shelby — will elect one Senator, and make returns to the Chief Justice of Nacogdoches County.
Dist. No. 8. — San Augustine, Sabine, Newton, and Jasper — will elect one Senator, and make returns to the Chief Justice of San Augustine County.
Dist. No. 9. — Liberty, Jefferson, Polk, Tyler and Angelina — will elect one Senator, and make returns to the Chief Justice of Liberty County.
Dist. No. 10. — Cherokee, Anderson and Houston — will elect one Senator, and make returns to the Chief Justice of Cherokee County.
Dist. No. 11 — Galveston and Brazoria — will elect one Senator, and make returns to the Chief Justice of Galveston County.
Dist. No. 12. — Harris — will elect one Senator.
Dist. No. 13 — Grimes, Walker and Montgomery will elect one Senator, and make returns to the Chief Justice of Grimes County.
Dist. No. 14 — Washington, Burleson, Milam and Williamson — will elect one Senator, and make returns to the Chief Justice of Washington County.
Dist. No. 15. — Limestone, Navarro, Leon, Robertson and Bragg — will elect one Senator, and make returns to the Chief Justice of Limestone County.
Dist. No. 16. — Travis, Hays, Bastrop, Fayette and Caldwell — will elect one Senator, and make returns to the Chief Justice of Bastrop County.
Dist. No. 17 — Austin, Fort Bend, Colorado, Lavaca, and Wharton — will elect one Senator, and make returns to the Chief Justice of Austin County.
Dist. No. 18. — Matagorda, Calhoun, Jackson, Victoria, De Witt and Gonzales — will elect one Senator, and make returns to the Chief Justice of Victoria County.
Dist. No. 19 — Nueces, San Patricio, Refugio and Goliad — will elect one Senator and make returns to the Chief Justice of Nueces County.

Dist. No. 20 — Bexar, Medina, Guadalupe, Gillespie, Comal and Santa Fe — will elect one Senator, and make returns to the Chief Justice of Bexar County.

Dist. No. 21 — Starr, Webb and Cameron — will elect one Senator, and make returns to the Chief Justice of Cameron County.

Dist. No. 22 — Anderson, Angelina, Bowie, Cass, Cherokee, Collin, Cooke, Dallas, Denton, Fannin, Grayson, Harrison, Henderson, Hopkins, Houston, Hunt, Jasper, Jefferson, Kaufman, Lamar, Liberty, Nacogdoches, Newton, Panola, Polk, Red River, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Tyler, Upshur and Van Zandt — will elect one Senator, and make returns to the Chief Justice of Rusk County.

Representatives.

District No. 1. — Red River — will elect one Representative.

No. 2 — Red River and Bowie — will elect one Representative, and make returns to the Chief Justice of Red River County.

No. 3 — Lamar — will elect one Representative.

No. 4 — Fannin — will elect one Representative.

No. 5 — Lamar and Fannin — will elect one Representative, and make returns to the Chief Justice of Lamar County.

No. 6 — Grayson, Collin and Cooke — will elect one Representative, and make returns to the Chief Justice of Grayson County.

No. 7 — Dallas and Denton — will elect one Representative, and make returns to the Chief Justice of Dallas County.

No. 8. — Hopkins and Hunt — will elect one Representative, and make returns to the Chief Justice of Hopkins County.

No. 9 — Titus — will elect one Representative.

No. 10 — Cass — will elect one Representative.

No. 11 — Harrison — will elect one Representative.

No. 12 — Harrison and Upshur — will elect one Representative, and make returns to the Chief Justice of Harrison County.

No. 13 — Rusk — will elect one Representative.

No. 14 — Rusk and Panola — will elect one Representative, and make returns to the Chief Justice of Rusk County.

No. 15 — Henderson, Smith, Van Zandt, and Kaufman — will elect one Representative, and make returns to the Chief Justice of Henderson County.

No. 16 — Cherokee — will elect one Representative.

No. 17 — Nacogdoches — will elect one Representative.

No. 18 — Houston and Anderson — will elect one Representative

and make returns to the Chief Justice of Houston County.
No. 19 — Nacogdoches, Houston, Anderson, Angelina, and Cherokee — will elect one Representative, and make returns to the Chief Justice of Cherokee County.
No. 20. — San Augustine — will elect one Representative.
No. 21 — Shelby — will elect one Representative.
No. 22 — Sabine and Newton — will elect one Representative, and make returns to the Chief Justice of Sabine County.
No. 23 — Jasper, Tyler, and Jefferson — will elect one Representative, and make returns to the Chief Justice of Tyler County.
No. 24 — Liberty and Polk — will elect one Representative, and make returns to the Chief Justice of Liberty County.
No. 25 — Galveston — will elect two Representatives.
No. 26 — Harris — will elect three Representatives.
No. 27 — Brazoria and Fort Bend — will elect one Representative, and make returns to the Chief Justice of Brazoria County.
No. 28 — Montgomery and Grimes — will elect one Representative, and make returns to the Chief Justice of Grimes County.
No. 29 — Walker — will elect one Representative.
No. 30 — Leon, Robertson and Brazos — will elect one Representative, and make returns to the Chief Justice of Leon County.
No. 31 — Limestone and Navarro — will elect one Representative, and make return to the Chief Justice of Limestone County.
No. 32 — Matagorda, Calhoun, Jackson and Wharton — will elect one Representative, and make returns to the Chief Justice of Jackson County.
No. 33 — Colorado and Austin — will elect one Representative, and make returns to the Chief Justice of Austin County.
No. 34 — Fayette — will elect one Representative.
No. 35 — Washington — will elect one Representative.
No. 36 — Burleson and Bastrop — will elect one Representative, and make returns to the Chief Justice of Bastrop County.

No. 37 — Milam and Williamson — will elect one Representative, and make returns to the Chief Justice of Milam County.

No. 38 — Travis, Hays and Caldwell — will elect one Representative, and make returns to the Chief Justice of Travis County.

No. 39 — Victoria, De Witt and Lavaca — will elect one Representative, and make returns to the Chief Justice of Victoria County.

No. 40 — Gonzales, Guadalupe, and Comal — will elect one Representative, and make returns to the Chief Justice of Gonzales County.

No. 41 — Bexar, Medina, Gillespie, and Santa Fé — will elect two Representatives, and make return to the Chief Justice of Bexar County.

No. 42 — Nueces, Starr, Webb and Cameron — will elect one Representative, and make returns to the Chief Justice of Nueces County.

No. 43 — Nueces, Starr, Webb, Cameron, San Patricio, Refugio and Goliad — will elect one Representative, and make returns to the Chief Justice of Nueces County.

No. 44 — Starr, Webb and Cameron — will elect one Representative, and make returns to the Chief Justice of Cameron County.

The Chief Justices of the said several Senatorial and Representative Districts to whom the District returns are to be made (and in case of vacancy in the office of Chief Justice, or the inability of that officer to act, then any two of the County Commissioners) will give to the Senators and Representatives elect of their respective districts the proper certificate of election, and make return thereof according to law to the Secretary of State, endorsed "Election Returns for Senators and Representatives."

It will be necessary that each voter should particularly designate upon his ballot, in connection with the name of the person voted for, the Senatorial or Representative district for which the Senator or Representative, as the case may be, is to be elected.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed, at Austin, the 17th day of April, 1849, and of the Independence of Texas the fourteenth year.

L. S.

Geo. T. Wood

By the Governor:

W. D. Miller

Secretary of State.

Executive Office
Austin Oct. 12. 1848.

To Col. Hansbrough Bell,
Commanding Frontier.

Sir,

Instructions to Col. P. H. Bell to remuster ranging companies into the service.

From time to time as the period of service of the companies now in the field for the protection of the frontier may expire you will without delay proceed to re-muster them, discharging such as may desire it, and supply their places.

This course the Executive regards as imperiously dictated by the unsettled and threatening state of our Indian relations, in order to protect our frontier from a repetition of the outrages already perpetrated by our savage neighbors.

You will execute this order in the usual manner for twelve months unless sooner discharged, taking care at the same time to acquaint both officers and men with the object for which this order is given.

I have the honor to be,
Your obdt. servt.

Geo T. Wood

Executive Office
Austin Oct. 14. 1848.

Sir,

Your communication in regard to the recent outrages committed by Indians in your vicinity is before me. The late General orders from the Letter to M. H. Stewart in relation to raising a ranging company, &c.

Department of War supercede the authority extended to the Executive of Texas to muster into the service of the United States troops for the defense of the frontier. In view however of the outrages already committed and the dangers to which our citizens are exposed, I have determined to assume the responsibility of strengthening the existing force, as well to chastise the Indians if to be found, as for the purposes of protection.

To this end the citizens on the Guadalupe are authorized to the utmost extent of my authority to do so, to organize themselves into a company not exceeding one hundred men for the purpose intimated above.

This company will at once report by letter to Col. P. H. Bell at San Antonio, and hold themselves in readiness to obey his orders; unless the Indians should be in their neighborhood or in the reach of pursuit, in which ~~event~~ it will adopt the plan best calculated to effect the object in view, to wit their chastisement: The proper receiving and issuing officers will be appointed and supplies obtained in the best manner possible until they are mustered in by Col. Bell who will then make the necessary provisions.

The term for which this company will be mustered will be 12 months unless sooner discharged, which no doubt will be so soon as the troops designated for this frontier shall arrive. The Executive will use every exertion with the General Government to secure the pay of such citizens as enter into this service and of those who may furnish supplies, and he entertains no doubt but that the General Government when made acquainted with the emergency will sanction his acts and make corresponding arrangements.

The Executive is feelingly alive to the sufferings of his fellow-citizens, the consequence of the premature disbandment of the troops on the frontier a consequence of which it was fully warned, and he regrets the inadequacy both of his power and his means to extend the aid which they have a right to claim.

Your fellow-citizen,

Geo. T. Wood

Hon. M. H. Stewart
Gonzales.

Executive Office,
Austin Oct. 15. 1848.

Authority to Capt. Sutton to raise a company of Rangers.

Captain A. S. Sutton,

Sir,

You are hereby, in consequence of the hostile demonstration along our line of frontier settlements, to raise and organize a company of Rangers, not to exceed ninety six men, at the earliest possible day - say by the 25th of the present month. You will report to Col. P. H. Bell at San Antonio for orders and be subject to his orders. The company will be raised for twelve months unless sooner discharged, (and in view of the uncertain period, for which they may be kept in service, as I presume they will be relieved by the dragoons who are expected in a short time,) you will be careful to acquaint both men and officers with the uncertainty of the time or period which they may be required to serve, as they should be well informed of the conditions upon which they enter the services.

I have the honor to be
Your Obedt. Servt.

Geo. T. Wood

Executive Office
Austin Dec. 18. 1848.

Hon. John Hemphill,
Chief Justice of the Supreme Court
of Texas.

Sir,

I have the honor by direction of his Excellency the Governor to advise you that James Webb, and Andrew J. Hamilton, Esquires, have been appointed and commissioned to try and determine such causes on the docket of the supreme court as have been certified to his Excellency, wherein certain members of the supreme court are disqualified from sitting.

Note to Ch. J. Hemphill, advising him of the appt. of special judges.

I have the honor to be,
Your Obt. Servt.
J. P. Bryan
Private Secretary

Executive Office
Austin Feb. 12. 1849.

Sir,

Recent accounts from the eastern portion of our line of frontier in the direction of Red River represent the settlements in a state of great apprehension of Indian depredations. Indeed I am informed from a reliable source that a large number of horses have been recently stolen from the frontier settlers, the most of whom are new emigrants, and generally poor people. Thus they are deprived of the chances of preparing for and making a crop, which amounts with them to very little less than murder.

That portion of the line lying between the Brazos and Red River embracing an extent of nearly or quite two hundred miles and being entirely unprotected leaves exposed not only a large extent of frontier but a densely settled region of country, and in the immediate vicinity of some of the most respectable and enterprising

Letter to Gen. Worth, in relation to the Indians &c.

dinate tribes within the limits of the State. I feel it a duty which I owe to my fellow citizens thus to make these facts known to you in order that the greatest security consistent with the means at your command may be given to the settlers on that end of the line. Unless this can be done open hostilities in a very short space of time will inevitably be the result.

Had I not felt the greatest confidence in your disposition to render complete the protection of this whole line of frontier, I should not have felt authorized to make any communication in the absence of actual hostility. I therefore trust that, to the end that proper protection may be given, it may be as consistent with the means at your disposal as I know it is with your desires.

I have the honor to be,
Your obdt. servt.

Geo. T. Wood

W. J. Worth,
Major General,
U. S. Army.

Executive Office
Austin Feb. 23. 1849.

Sir,

Letter to Gen. Harney in relation to Indians &c.

I enclose herewith a copy of a communication received from sundry citizens of Navs. county in relation to recent Indian depredations in that region. The recurrence of these acts on the part of our troublesome neighbors has become so frequent that the very existence of the settlements is threatened by them. The fact that the settlements on the eastern end of the line are in the immediate vicinity of the most numerous as well as the most ill disposed tribes of Indians would seem to suggest the propriety of strengthening the defences on that portion of the line

The opinion is very generally entertained that the removal of the trading house, at present some distance within the line of settlements to a point without that line would greatly contribute to the preservation of peace, as well as the protection of the property of the

inhabitants of the frontier, and at the same time afford still more convenient facilities for the trade of the Indians. They would then have no pretext for penetrating the line of settlements - a pretext of which they have frequently availed themselves for purposes of plunder.

I have ventured to make these suggestions with a view to your taking them into consideration on your proposed tour of inspection along the line.

I have the honor to be,
Your Obedt. Servt.

Geo. T. Wood

W. S. Harney
Brig. General
U. S. Army.

Department of State
Austin, Texas, April 20. 1849

Sir,

By direction of Governor Wood, I herewith transmit to the address of your Excellency, the First Volume of the Reports of the Supreme Court of Texas. Please cause the receipt of the same to be acknowledged

Note to the Governors of States and Territories, forwarding Supl. Court Reports.

I have the honor to be,
Very respectfully,
Your Obedient Servant,

W. D. Miller,
Secretary of State

To each of the Governors,
of the States, and Territories
of Oregon and Minnesota.

Note to Dist. Attys. forwarding Sup. Ct. Repts.

Department of State
Austin, April 20. 1849

Sir,

By direction of Governor Wood, I herewith transmit to your address the first Volume of the Reports of the Supreme Court of Texas. Please acknowledge the receipt of the same

I have the honor to be
Very respectfully,
Your Obedt. Servt.
W. S. Miller,
Secretary of State.

To the District Attorneys of the
1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th and 10th Judicial Districts
Also to the Judges of the
1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, and 10th Judicial Districts
Also to Judges Hemphill, Lipscomb, and Wheeler,
of the Supreme Court

Circular instructions to C. J. in relation to the general election.

Department of State
Austin, May 1. 1849.

Sir,

Accompanying this you will receive the proclamation of the Governor, of the 17th ult., ordering an election for Governor, Lieutenant Governor, Representatives in Congress, Commissioner of the General Land Office, and Senators and Representatives in the State Legislature, on the first monday in August next.

The returns for Governor and Lieutenant Governor will be addressed to the Speaker of the House of Representatives, at Austin, endorsed "Election returns for Governor and Lieutenant-Governor." The returns for Representatives in Congress, Commissioner of the General Land Office, and for Senators and Representatives in the State Legislature, will be addressed to the Secretary of State, at Austin, "Election returns for

Representatives in Congress," "Commissioner of the General Land Office," and "Senators and Representatives in the State Legislature," as the case may be.

If your county is a portion of a senatorial or representative district, and the returns of the election in your county, for senators or representatives, are required to be made to the Chief Justice of another county, you will, in order to prevent confusion, be very particular in making your returns, to state in an explicit and legible manner, the names of the persons voted for, for what office, and the number of votes received by each.

Where a Chief Justice is a returning officer for a senatorial or representative district in which he resides, he will, in his returns to the State Department, include therein the vote of the county of which he is Chief Justice.

Where a senatorial or representative district is composed of only one county, the Chief Justice will, of course, make returns for his county directly to the State Department.

In making returns to the Speaker of the House of Representatives, or to the Secretary of State, it will only be necessary for the Chief Justice making the returns, to state explicitly, fully, and legibly, the names of the persons voted for, for what office, and the number of votes received by each in the county or district for which the returns are made.

I have the honor to be,
Very respectfully,
Your obedient Servant,

W. D. Miller,
Secretary of State

To,
Chief Justices.

Letter of citizenship to H. Seele.

The State of Texas
A State of the United States of America.

I, George T. Wood, Governor of the State of Texas, by virtue of the authority in me vested by the Constitution and Laws, and upon full and satisfactory evidence to me exhibited, do hereby certify, make known, and declare to all whom it may concern, that Hermann Seele, the present clerk of the District Court of the County of Comal, is a citizen of this State, and as such entitled to all the rights, priveleges, and immunities thereunto appertaining under our Constitution and Laws.

In testimony whereof, I hereunto set my hand, and cause the Great Seal of the State to be affixed at Austin, the 17th day of May, 1849, and of the Independence of Texas the Fourteenth year.

L.S.

By the Governor:
W. D. Miller,
Secretary of State

G. T. Wood

Executive Office
Austin, May 21. 1849.

Letter to Gen. Harney in relation to the Indians, &c.

Sir,

Information of a most reliable character has reached this office that large bodies of hostile Indians have made an incursion into the settlements near Corpus Christi, and are committing extensive depredations and frequent murders on our citizens:

The existence of this state of things, it has been deemed proper to communicate to you, in order that the proper measures may be taken for the protection of our citizens. So far as is consistent with the means at your command, the Executive of the State has every confidence that the end will be done.

In view however of the fact that a sufficient force may

not be at your disposal for this purpose, the Executive asks the privilege of furnishing a force sufficient to meet the existing emergency, whose services under the circumstances he anxiously hopes it may be consistent for you to accept.

Should this step be deemed advisable by you, you will please open a communication with Col. St. L. Kinney, who is provisionally authorized to raise one hundred men for the purpose indicated, advising him of the proper manner in which to organize and designate a point of rendezvous.

By the direction of His Excellency
Governor Wood,
I have the honor to be,
Your Obedt. Servt.
H. P. Bee
Private Secretary

Gen. M. S. Harney
U. S. Army
Commanding Texas Department.

Executive Office
Austin May 21. 1849.

Sir,

Letter to Col. Kinney in relation to frontier protection &c.

Your communication of May 15. together with others from citizens of Western Texas reached this office this morning.

Governor Wood is absent on a visit to his family, but before he left unsatisfactory rumors of Indian difficulties in your section reached him, and he specially enjoined it on me that, in the event a confirmation of them should reach here prompt measures should be taken to meet the emergency upon the responsibility of the State.

Although it is the duty of the General Government to extend this protection, yet we cannot close our eyes to the fact that her protection so far has been little better than a mockery.

It is not in the nature of Governor Wood, and he will not be an indifferent spectator of outrages committed on his fellow citizens. To the people of the State the result is the same whether the General Government denies to them protection through the want of means, or the want of disposition. In this view he feels it incumbent on him to provide to the extent of his

means and his power for their security. The Legislature of the State confident both in the power and in the disposition of the General Government to afford the necessary protection, contemplated no such state of things as now exists, and consequently made no provisions. No effort will be spared to secure the pay of such as may volunteer under the authority issued to you, and the reimbursement of all expenditures legitimately made.

I have to-day written to Gen. Harney on the subject of your Communication requesting him to accept the service of a sufficient number of volunteers to meet the emergency. Should he do so, I requested him to communicate with you, and assume the general direction of the force required. Should he communicate with you, you will be governed by whatever changes or modifications of the order this day issued from the Adjutant General's Office, which he may think proper to make, adhering however to the consummation of the purpose for which it was issued. In the event that he declines to accept, you will proceed with the utmost dispatch to the execution of that order, and for your acts under it you have the sanction and authority of the State.

I have the Honor to be,
Your Obedt. Servt.
H. T. Brewster
Private Secretary.

Col. H. L. Kinsey

By the Governor of the State of Texas,
A Proclamation.

Proclamation for arrest of fugitive.

Whereas satisfactory evidence has been presented to the Executive, that a certain William Wilson, late a resident of the County of Jefferson in the State of Tennessee, stands charged by indictment with committing a murder in said County and State, in the month of January, 1846, upon the body of one Thomas Hensley; and information having been received that the said ~~William~~ Wilson has fled from justice and taken refuge in the State of Texas:

And whereas a demand has been made by the Governor of the State of Tennessee upon the Executive of this State for the arrest and delivery of the said William Wilson, charged as aforesaid, to the proper authority of the State of Tennessee, that he may be dealt with according to law:

Now, therefore, I, George T. Wood, Governor of the State of Texas, by virtue of the power vested in me, do, by these presents authorise, require, and enjoin upon the civil authorities, and especially upon all sheriffs and constables (and in case of need, the military authorities,) of this State, and they are hereby authorised, required and enjoined, to aid and assist in arresting and delivering the said William Wilson to James Hickman, the fully empowered agent of the State of Tennessee, that he may be dealt with according to law, as aforementioned.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed at Austin, the 25th day of May, 1849, and of the independence of Texas the fourteenth year.

L.S.

Geo. T. Wood

By the Governor:

W. D. Miller,

Secretary of State.

Executive Office,
Austin, May 26, 1849.

Sir,

Letter to the Gov. of Tenn., in relation to a fugitive.

I have the honor to acknowledge the presentation to me of your requisition for the body of Isaac A. Miller, charged with the crime of forgery, as a fugitive from justice.

The copy of the indictment which accompanies your requisition, shows the offence to have been committed in the year 1842, and there is nothing before me which shows at what time said Miller fled to Texas. If he came before the consummation of the act of annexation, and had acquired the rights of a citizen of the then Republic, the Executive does not recognize the right to demand him. If however, it can be made appear that he came to this State since that period, he will be promptly surrendered.

I have the honor to be
Your Obedient Serv't,

Geo T. Wood

His Excellency N. S. Brown,
Governor of Tennessee.

Remission of sentence of Schroeder.

The State of Texas.

Whereas it has been represented to me that Schroeder, a native of Germany, now a resident of the County of Harris, was at the last term of the District Court for the said County, tried and convicted of the offence of stealing a hog, and was imprisoned and sentenced to receive thirtynine stripes on his bare back:

Now be it known, that I, George T. Wood, Governor of the State aforesaid, for satisfactory reasons to me shown, and by virtue of the power vested in me by the constitution and laws of the said State, do hereby pardon the said Schroeder and fully remit the infliction of the punishment of his sentence; and do hereby direct the Sheriff of the said County of Harris in all things to observe this precept, and make return thereof to the Clerk of the District Court of said County, that a proper record of the

same may be made. — Given under my hand and the Great Seal of the State, at Austin, this the fourth day of June, in the year of our Lord one thousand eight hundred and forty nine, and of the independence of Texas the fourteenth.

L. S.

Geo. T. Wood

By the Governor:

W. D. Miller,

Secretary of State.

Department of State,
Austin, June 15, 1849.

Sir,

Letter to I. R. Armstrong, Notary Public.

Your communication of the 27th ult. reached me by yesterday's mail. In reply to your inquiries, I have to state, that your appointment as Notary was made by the Governor and your commission issued, all in the usual form. The official register of this office shows, that you were duly qualified as such on the 10th of November last. This entry was made on the receipt of the official certificate of the Chief Justice; and your acts since said date will be recognised by this Department in all cases where it may be required to have them attested under the State Seal. Moreover, I take this occasion to remark, that, as far as returns of qualifications have been received at this Department, you are the only Notary Public for Rusk County whose acts as such can at present be so attested. No report from the Chief Justice ever having been received of the qualification of any other Notary for your County, it is obvious that their acts, even though they should have qualified, cannot receive the sanction of the Great Seal, until the proper report of that fact be made by the Chief Justice. It is clear that this can be the only rule by which this Department can be guided in knowing who is, and who is not, qualified to exercise the functions of any

office. Without a knowledge, officially received, of due qualification, any appointment of the Governor must remain without effect, so far as the recognition of official acts under the Great Seal, is concerned.

It is to be regretted that you did not acquaint yourself with the true state of this case by an examination of the communications from this Department to the Chief Justice. No communication of the kind to which you allude, could have emanated from this Department after the receipt of the Chief Justice's certificate of your qualification.

I have the honor to be,
Very respectfully,
Your obedient servt,

M. D. Miller,
Secretary of State.

James R. Armstrong, Esq.,
Henderson, Rusk County.

Department of State,
Austin, June 15, 1849.

Sir,

Letter to C. I. of Harrison, in relation to election.

In reply to your letter of the 26th ult., in reference to the returns of senatorial district No. 6, I have to state that, since the law requires the returns to be made to the Chief Justice of Rusk County, I can see no way of obviating the inconvenience which it may occasion. At the time of making out the proclamation, the Governor thought it best to pursue the language of the law. To change it now, would no doubt be considered by many as an unwarrantable exercise of power. There can be no question that it was an error in the law, to make the Chief Justice of Rusk County the returning officer for your district, but it is perhaps now remediless.

I have the honor to be, &c.

M. D. Miller,
Secretary of State.

Hon. T. A. Patillo,
Chief Justice Harrison County.

Passport to W. Baker.

The State of Texas.

To the Authorities Civil, Military and Municipal of the Republic of Mexico.

Mr. William Baker, a citizen of the State of Texas, one of the United States of America, visits the North of Mexico for the purpose of recovering possession of certain fugitive slaves, supposed to have taken refuge there. He will act in the prosecution of this purpose, in a manner strictly subordinate to the laws and authorities of your country; and for such aid and facility as it may be consistent with to afford him, on your part, this State will feel the obligation and on all proper occasions cheerfully reciprocate.

Given under my hand and the Great Seal of the State, at Austin, the 17th day of June, 1849.

L. S.

Geo. T. Wood

By the Governor:

R. D. Miller.

Secretary of State.

Requisition on Gov. of Miss. for Tho. Short.

The State of Texas.

To His Excellency the Governor of the State of Mississippi. –

Sir – It has been made known to me that a certain Thomas Short, alias William Smith, late of our County of Fayette, stands charged with having, on or about the 19th day of May, of the present year, taken, stolen and run off a certain negro man slave named Joe, of the value of seven hundred dollars, the property of J. Mercer Hill, a resident of our County of Washington, as will more fully appear from properly authenticated copies of an affidavit of the said Hill and the warrant issued for the apprehension of said Short, alias Smith, herewith transmitted:

And whereas it has been made known to me, that the said Short, alias Smith, has fled from justice and is now, together with the said slave, in the State of Mississippi:

Now therefore, I, George T. Wood, Governor of the State of Texas, in pursuance of law, do hereby respectfully demand that your Excellency will cause the said fugitive to be arrested, if at large within the limits of the State over which you preside, and delivered when so arrested, to John R. Weir, who is appointed agent on the part of this State to receive the said fugitive from the civil authorities of the State of Mississippi, to the end that he may be brought to the State of Texas and dealt with according to law.

In testimony whereof, I hereunto set my hand and cause the Great Seal of the State to be affixed, at Austin, the 22d day of June, 1849.

L. S.

Geo. T. Wood

By the Governor:

M. D. Miller,

Secretary of State.

Instructions to Cuger & Moore, in relation to the distribution of laws in Spanish.

Department of State,
Austin, July 3, 1849.

To Messrs. Cuger & Moore,
Printers of the laws in Spanish:

Gentlemen — Envelope strongly, and despatch by mail, postage paid, at the earliest possible moment, 205 copies of the laws in Spanish, addressed according to the subjoined list.

I have the honor to be,
Very respectfully,
Your obt Servt,

M. D. Miller,
Secretary of State.

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20 copies to Judge S. M. Baird, Santa Fé, care of C. W. Boyers, Esq., Independence, Missouri.
20 do. to H. P. Bee, Esq., or Chief Justice of Webb County, Laredo, Texas, viâ San Antonio.
10 do. to same, viâ Galveston and Brazos Santiago.
25 do. to the Chief Justice of Starr County, Rio Grande City, viâ Galveston and Brazos Santiago.
30 do. to the Chief Justice of Cameron County, Brownsville, Texas, viâ Galveston and Brazos Santiago.
15 do. to the Chief Justice of Nueces County, Corpus Christi, Texas, viâ Galveston.
10 do. to Col. H. L. Kinney, Corpus Christi, viâ Galveston.
30 do. to the Chief Justice of Bexar County, San Antonio.
20 do. to Col. José Antonio Navarro, Seguin, Guadalupe County.
5 do. to the Chief Justice of Victoria County, Victoria.
5 do. to the Chief Justice of Goliad County, Goliad.
10 do. to the Chief Justice of Nacogdoches County, Nacogdoches.
5 do. to the Chief Justice of Houston County, Crockett.

Letter to Maj. Deas, in relation to the Indians, frontier defence &c.

Executive Office,
Austin, July 15, 1849.

Sir,

I have the honor to acknowledge the receipt of your communication of the 7th inst., made by the direction of Maj. Gen. Brooke.

This Department has never been advised of the movement alluded to, and has authorized none such to be made.

At the same time that the Executive of the State would discountenance any wanton or unprovoked act of war on the part of the citizens of Texas against our bordering Indians, he cannot forego the opportunity which is afforded him, of expressing his profound regret at the state of things existing all along the Indian frontier of the State, resulting from the frequent depredations of the savages and the state of alarm and insecurity arising from their being permitted under friendly pretexts to visit the settlements in large bodies. These circumstances, it must be admitted, are highly calculated to provoke retaliation.

It is the opinion of the Executive, with the utmost respect for that of the authorities of the General Government, that the means at present at the disposal of the commander of this Department are wholly inadequate for efficient defence, not so much on account of numerical weakness as from the want of adaptation to a service of a character quite peculiar

Against Indians who move uniformly on horseback, and with great celerity, infantry can protect but little more than the space covered by their encampments, and dragoons, however effective they may be in pitched battles or civilized warfare, are nevertheless eminently wanting in many indispensable requisites for this peculiar service.

Acting under a stern sense of his duty to his fellow citizens of the State, whose cries for protection reached him almost daily, the Executive authorized to be raised three commands of mounted volunteers to operate on our southwestern frontier for its protection: to wit, one company of one hundred men, commanded by Charles Blackwell; one company of fifty men, commanded by L. W. Johnson; and one of sixty, to be raised by Captain G. K. Lewis.

It is earnestly hoped that Gen. Brooke may be able, in view of the emergency, to sanction this step and extend to

these commands every just facility, and if consistent, muster them into the service of the United States and incorporate them into his command.

Very respectfully,
Your Obt Servt,
Geo T. Wood

Maj: George Deas,
A. A. General.

Letter to Assessors in relation to the Census.

Department of State,
Austin, August 15, 1849.

Sir,

Up to this time no returns have been received at this Department of the enumeration of the inhabitants of your County for the year 1848. The law of the 20th March, 1848, (page 310) requires that the Assessor of direct taxes of each County of the State shall make an enumeration and classification of the inhabitants of their respective Counties, and forward a return thereof to this Department. It is now respectfully requested that you will immediately make the said return. It is desirable to have it at the earliest practicable period. I therefore take the liberty of urging your particular attention to this request.

I have the honor to be,
Very respectfully,
Your obt Servt,
M. D. Miller
Secretary of State.

To the Assessors of the Counties Cameron, Nueces, Starr, Van Zandt, and Webb.

State Department,
Austin, August 24, 1849.

Sir,

Letter to C.J. of Robertson, in relation to election returns.

The returns of the election in your County, just received, came addressed to me and endorsed "Election Returns" only. There was consequently no means of ascertaining whether they were for County officers alone or for Governor and Lieutenant Governor. On opening your letter, I found that you had included in your returns the vote for Governor and Lieutenant Governor, which should have been returned separately, and addressed to the Speaker of the House of Representatives, City of Austin, marked on the outside Returns of Election for Governor and Lieutenant Governor, Robertson County.

It will also be necessary for you to make a separate return of the vote cast in your County on the proposed amendment of the Constitution, which you will address to the Secretary of State, endorsed: Vote on the amendment of the Constitution, Robertson County.

I have the honor to be,
Very respectfully,
Your obt. servt,

W. D. Miller,
Secretary of State.

To the Chief Justice
of Robertson County.

Letter to C.Js. of certain counties, in relation to election returns.

Department of State,
Austin, September 5, 1849.

Sir,

The constitution requires the returns of the election for Governor and Lieutenant Governor to be sealed up and addressed to the Speaker of the House of Representatives at the Seat of Government. In the returns made by you of the election held in your County on the 6th of August, and addressed to this Department, I perceive you have included the vote for Governor and Lieutenant Governor. I would, therefore, respectfully suggest to you the necessity of conforming to the requirements of the constitution above alluded to: otherwise the vote of your County in the election of Governor and Lieutenant Governor may be lost, or, at least, the irregularity of the return might be productive of difficulty, and perhaps dissatisfaction on the part of those interested.

I have the honor to be,
Very respectfully,
Your obt servt,

W. D. Miller,
Secretary of State.

To the Chief Justices of Bexar,
Hays,
Smith,
Tyler, and
Walker Counties.

Letter to C.Js. of certain counties, in relation to election returns.

Department of State,
Austin, September 10, 1849.

Sir,

The constitution requires the returns of the election for Governor and Lieutenant Governor to be sealed up and addressed to the Speaker of the House of Representatives at the seat of Government. In the returns of the election held in your County on the 6th of August, and addressed to this Department, I perceive you have included the vote for Governor and Lieutenant Governor. I would therefore, respectfully suggest to you the propriety of conforming to the requirement of the constitution above referred to, and making the returns of your County for those officers direct to the Speaker of the House of Representatives, through the mail, addressed to him at Austin: otherwise, the vote of your County in the election for Governor and Lieutenant Governor may be lost.

I have the honor to be,
Very respectfully,
Your obt servt,

W. D. Miller,
Secretary of State.

To the Chief Justices of Leon, Liberty, Harrison, and Nueces Counties.

Letter to the Assessor of Cooke County, in relation to assessment.

Department of State,
Austin, September 21, 1849.

Sir,

I have just received your letter, without date, but postmarked at Sherman on the 7th inst., stating that it was said in your County that I had directed some of the Assessors not to assess the Colony Lands. In reply, I have to say, that I have never, either directly or indirectly, given any such instructions, nor indeed any advice or instructions of any kind to any Assessor respecting the Colony Lands, or any other. That is a matter which belongs exclusively to the Comptroller, Mr. Shaw, and with which I have no right to interfere and have

never interfered. — I will hand your letter to the Comptroller for such answer as he may be pleased to make.

I have the honor to be,
Very respectfully,
Your obt servt,

M. D. Miller,
Secretary of State.

To the Assessor of Cooke County.

The State of Texas.

Credentials of D. S. Kaufman as Rep. in Congress from first Cong. Dist.

To all to whom these presents shall come: Know ye, that, at an election held on the first Monday, the sixth day of August, 1849, in the First Congressional District of the State of Texas, for the choice of a Representative of said District in the Congress of the United States, returns whereof have been duly made to me, David S. Kaufman was elected and is entitled to his seat as such Representative in the Thirtyfirst Congress.

L. S.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, at Austin, the twentysecond day of September, 1849, and in the year of the independence of the United States the seventyfourth and of Texas the fourteenth.

Geo T. Wood

By the Governor:

M. D. Miller,
Secretary of State.

Credentials of V. E. Howard as Rep. in Cong. from second District.

The State of Texas.

To all to whom these presents shall come: Know ye, that, at an election held on the first Monday, the sixth day of August, 1849, in the Second Congressional District of the State of Texas, for the choice of a Representative of said District in the Congress of the United States, returns whereof have been duly made to me, Volney E. Howard was elected and is entitled to his seat as such Representative in the Thirty first Congress.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, at Austin, the twenty ninth day of September, 1849, and in the year of the independence of the United States the seventyfourth and of Texas the fourteenth.

L. S.

Geo. T. Wood

By the Governor:

W. D. Miller,

Secretary of State.

Letter to President Taylor, in relation to Santa Fe.

Polk County, Texas,
June 30, 1849.

His Excellency Z. Taylor,
President of the United States:

Sir,

At the last session of our Legislature, laws were passed organizing the County of Santa Fe, and establishing a judicial district including the same, and Spruce M. Baird, Esquire, was elected Judge and directed to proceed to the organization of the County of Santa Fe under the laws of the State. Subsequently to Judge Baird's reaching Santa Fe, he informed the Executive that opposition had been offered him by the military government which at that time seemed to be in force there by order of the United States, which tended to hinder such organization. This military government was es-

tablished by order of the President of the United States in 1847, and was objected to by the authorities of Texas. The latter were informed by the Secretary of State of the United States, that this organization was temporary in its character – only intended to facilitate the United States in prosecuting the war against Mexico, and should be dissolved at the conclusion of peace between the two powers.

This opposition to the authorities of Texas was certainly unlooked for, as it could never have been expected that the Federal Government would lay claim or assert title to that soil which her authorities have on more than one occasion, solemnly acknowledged and declared to the world to be within the limits of Texas.

The Executive of Texas addressed a communication to President Polk, under date of 6th October last, soliciting such aid for Judge Baird in enforcing the laws of Texas over Santa Fe, as he might need, by the United States forces stationed in that quarter – to which communication I respectfully beg leave to refer your Excellency. – The Executive has to regret that no reply has yet been received to the communication referred to.

This is a subject of the first magnitude to Texas, as she is bound by every moral and legitimate obligation at once to bring her vacant lands into market, that they may be made available to the holders of her public liabilities.

I would beg leave most respectfully to request of your Excellency, which I now most solemnly do, to offer such facilities to the State authorities in Santa Fe, as may seem to be consistent with the obligations of the Federal Government and the rights of Texas. – The Executive deems it unnecessary at this time, to rediscuss the question of boundary and the right of Texas to the soil as claimed by her laws and acknowledged by the United States. No people would regret more than the people of Texas, a misinterpretation of her rights, in relation to boundary, by the Federal Government; nor can her citizens realise for a moment, that a claim by the Federal Government to any portion of her territory can be seriously urged: Since to yield to a severance of any portion of her soil would be as humiliating to Texas as it would be unjust on the part of the United States.

An early reply to this communication, will enable the Executive to lay before the Legislature which will convene in November next, the views of the General Government relative to the subject matter referred to;

and add additional energy to the already undiminished confidence felt and cherished by the people of Texas in the justice of the Federal Government.

With sentiments of distinguished consideration,
I am your obedient servant,

Geo. T. Wood

The State of Texas.

Remission of fine of J. Long and others.

Whereas it has been represented to me that at the Spring term, 1849, of the District Court for the County of Houston, a judgment was rendered in favor of the State of Texas against John Long, John L. Burton, Elisha Clapp and John A. Davis, for the sum of twenty five hundred dollars each, as sureties on the bond of one Ransom Howard indicted as an aider and abettor of one Spencer Townsend in the murder of William Ferguson in the month of July, 1845.

Now, be it known that I, George T. Wood, Governor of the State aforesaid for satisfactory reasons to me made known, and by virtue of the power vested in me by the constitution and laws of the said State, do hereby remit the said judgments and release, discharge and acquit the said John Long, John L. Burton, Elisha Clapp and John A. Davis, each and every of them from the payment of the same, and direct the sheriff of Houston County to return such process as may be in his hands against them conformably to this precept; and the Clerk of the District Court of said County to make a corresponding record of the same.

L. S.

Given under my hand and the Great Seal of the State at Austin, this the tenth day of June, in the year of our Lord One thousand eight hundred and forty nine, and of the independence of Texas the fourteenth.

Geo. T. Wood

By the Governor:

W. D. Miller,
Secretary of State.

The State of Texas.

Requisition on the Gov. of Ala. for fugitive.

To all to whom these presents shall come – Greeting: Whereas Thomas K. Bounds, late of the County of Harrison in this State stands charged with committing a murder in said County, on the 18th January, 1849, upon the person of a certain William Butler:

And whereas it has been made satisfactorily to appear by the annexed document, which is hereby certified to be authentic, that the said Thomas K. Bounds has fled from justice and is now in the State of Alabama; I do therefore make a requisition on the Governor of the last named State for the said Thomas K. Bounds to be delivered as such fugitive from justice to my agent, who is authorised to receive said fugitive and bring him to the State of Texas, having jurisdiction of said offence, and deliver his body into the custody of the Sheriff of the said County of Harrison, to be kept in the jail thereof until he may abide his trial for the crime with which he stands so charged.

Now therefore, in pursuance of the constitution and laws of the United States, I have appointed and do hereby appoint

as my said agent, to receive said fugitive as aforesaid, and to do and perform all and singular the duties and requisites above specified in the premises to be done and performed by said agent, and for which this shall be his sufficient warrant.

In testimony whereof, I have hereunto set my hand and caused to be affixed the seal of the State, at Austin, the twenty fifth day of August, in the year of our Lord one thousand eight hundred and forty nine, in the year of the independence of the United States the seventy fourth and of Texas the fourteenth.

L. S.

Geo. T. Wood

By the Governor:

M. D. Miller,

Secretary of State.

Letter to C.J. of Fayette, in relation to qualification

Department of State,
Austin, October 2, 1849.

To Hon. J. B. McFarland,
Chief Justice of Fayette County:
Sir,

I regret that you have been unable to report the exact dates of the qualifications of the several officers whose names were forwarded to you for that purpose. The records of the County Court ought, by all means, to show such facts. As however, they do not, the only course left is, for you to ascertain that they have qualified according to law and make your certificate of the fact so as to cover the entire period they may have been performing their duties. Without this official information, it will be impossible for this office to recognise their acts under the Great Seal, which, in many cases, would no doubt produce very serious inconvenience and injury to parties concerned. As this is an important matter, I hope you will immediately investigate each case and report the facts at a very early day.

I have the honor to be,
Very respectfully,
Your obedient Servant,

M. D. Miller,
Secretary of State.

Appointment of J. W. Harris as Counsel for the State at Washington

Whereas the Governor of this State was, by an act of the Legislature thereof, approved March 20th, 1848, "authorised and equirised to contract with and employ competent counsel to represent the interest of the State in all suits and actions having for their object the establishment of any land certificates issued by the Republic of Texas, and not recommended as genuine and legal claims by the commissioners appointed under the act to detect fraudulent land certificates, and to provide for issuing patents to legal claimants, and also, all suits and actions involving the constitutionality of the revenue laws of the late Republic, in all cases where any of

said suits or actions may be taken to the Supreme Court of the United States, and all other cases involving the rights of the State of Texas that may be carried to the Supreme Court of the United States".

And whereas writs of error have been sued out to carry up from the Supreme Court of this State to the Supreme Court of the United States, the two causes entitled as follows: to wit, E. P. Calkin & Co. vs James H. Cocke, which said cause involves the constitutionality of the revenue laws of the late Republic of Texas; and the cause entitled Thomas M. League vs John De Young, which had for its object the establishment of an unconditional land certificate not recommended as genuine and legal by the commissioners appointed under the said act to detect fraudulent land certificates, &c.

Now therefore, be it known that I, George T. Wood, Governor of the State of Texas, by virtue of the power conferred upon me by the act mentioned first above, have contracted with and employed John W. Harris, Esquire; and by these presents do nominate constitute and appoint him the counsel to represent the interest of the State in said causes, by attending to the same on the part of the defendants in the Supreme Court of the United States.

L. S.

Given under my hand and the Great Seal of the State, at Austin, this the thirtieth day of October, in the year of our Lord one thousand eight hundred and fortynine, and of the independence of Texas the fourteenth.

Geo. T. Wood

By the Governor:

M. D. Miller,

Secretary of State.

By the Governor of the State of Texas,
A Recommendation.

Recommendation of the observance of a day of thanksgiving

Grateful for the numberless blessings which a beneficent Providence has vouchsafed to us, and mindful of our duty as a religious people, it is meet and proper that we should offer up to the Great Source of All Good our united and most hearty thanks, and invoke, in an humble spirit, a continuance of Heavenly favor. As a portion of the great family of man, and as American citizens, we have most abundant cause of gratitude to that Superintending Power whose guardian care has been our shield in time of peril and danger, and filled our land with peace and plenty. On every side we behold evidences of merciful regard in the prevailing health and in the universal concord and prosperity. Our beloved country is rapidly increasing in numbers and in all those elements of moral greatness which promise the perpetuity of our free institutions and the happiness of our people.

Therefore I, George T. Wood, Governor of the State of Texas, do hereby set apart the first Thursday in December next, as a day of thanksgiving to Almighty God, and recommend that the same be observed by the people of this State, by abstaining from all secular employments; and all the officers of the State are requested to close their offices and transact no business on that day.

L. S.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, at Austin, the first day of November, in the year of our Lord one thousand eight hundred and forty-nine, and of the independence of the United States the seventy-fourth and of Texas the fourteenth.

Geo. T. Wood

By the Governor:

M. D. Miller,

Secretary of State.

Letter to C. J. of Titus, in relation to commission for Dist. Clk., &c.

Department of State,
Austin, November 3, 1849.

To the Honorable
The Chief Justice of Titus County:

Sir — Inasmuch as it has been decided by the Attorney General, to whom the matter was submitted last year, that all vacancies occurring in the office of District Clerk could only be filled by appointment of the District Judge, this Department has in no instance of the kind felt itself at liberty to issue a commission. In some of the judicial districts, I am informed the Judges have made appointments to fill vacancies in the office of District Clerk, even in cases where that officer had been previously elected by the people.

This statement will explain the reason why Mr. Hill has not received his commission from this Department.

I am, Sir,
Very respectfully,
Your obedient servt,

M. D. Miller,
Secretary of State.

Governor's Message.

Executive Office,
Austin, Nov. 6, 1849.

Gentlemen of the Senate and
House of Representatives:

Gov. Wood's second general Message.

The time has arrived when it is rendered the duty of the Executive of the State to present to your honorable body such information, in relation to the state of the Government, and recommend to their consideration such measures as he may deem expedient. I now proceed to discharge the obligation which the nature of that duty imposes.

Since the adjournment of the last Legislature, the war, then existing with Mexico, has been prosecuted to an honorable and glorious termination, and I am happy in being able to congratulate the State and Nation upon the circumstance that we are in the enjoyment of peace and a good understanding with all the rest of the world, and eminently prosperous in all the employments of life at home.

Our Government, no longer an experiment, is harmoniously performing its appointed functions, and every day furnishing the world accumulated evidences of its adaptability to the improved social and moral condition of our race, demonstrating the long controverted truth, that a people are capable of being a Government.

Within a year we have witnessed the quiet, peaceful and dignified transfer of power from one hand to another by the silent but potent agency of the law. But wherever else we cast our eyes over the broad surface of the earth every fundamental change of Government, every transfer of power is wrought by the sword in the heat and frenzy of revolutionary tumult, where reason is unheard, justice disregarded, and the power of mind humbled before the force of arms. What abundant cause have we then to congratulate ourselves upon the blessings which we enjoy, and with what grateful sentiments should we cherish the memory of those

those great and good men who achieved our Liberty and framed for us a Constitution, which confers greatness on the nation and secures enlightened freedom to its children. But chiefly to Him, "whose goodness endureth forever," under whose protection alone is safety, under whose favor alone is happiness, should we accord humble thanks and reverential gratitude, and by merited secure a continuance of that protection and the comfort of that favor.

With as little delay as possible, after the adjournment of the last Legislature, three gentlemen were appointed by me as Commissioners, to select a Site whereon to erect a State Penitentiary under the provisions of an act approved March 14th 1848. They selected a site near the town of Huntsville, which was purchased by the State together with one hundred acres of timbered land conveniently situated. The Directors, contemplated by law, were then appointed, who, together with the Superintendent submitted a plan of the building which was approved of by me, and is on file in the office of the Secretary of State, as required by Law. The Superintendent at once prepared for the erection of the building upon the plan approved and on the site selected. I herewith transmit the report of the Directors, shewing the progress which has been made, the plan of the building, outlay, and estimates.

In accordance with the provisions of an act, approved 20th March, 1848, "to secure to the colonists of Fisher's & Miller's Colony the lands to which they may be entitled," I appointed a Commissioner who immediately opened an office for receiving applications and hearing proof. A much smaller number than was anticipated availed themselves of the benefits of this law, certificates having been only issued to some 1400 colonists. I would respectfully recommend to the Legislature to pass a similar law for the benefit of the settlers in the Colonies of Austin and Austin. These colonists, introduced into the country under the sanction of law, and under the terms of a contract solemnized by the late Republic of Texas, improvidently and illegally it may be, are, nevertheless, entitled to the land assured to them by the ordinance of September, 1845. The condition in which they stand at present, in reference to their land titles, necessarily induces a sense of insecurity, above all things most calculated

to depress the spirit of industry and enterprise, and it behoves the Legislature, with as delay as possible to provide a proper mode of extending to them their titles.

During the past summer the fact was communicated to me by representations and petitions, numerously and respectably signed by citizens residing at Corpus Christi and along the Rio Grande, that this section of the State was invaded by large bodies of hostile and predatory Indians. The forces of the United States, stationed in the neighborhood, proved themselves wholly inadequate for the protection of our citizens. Under these circumstances, I felt it my duty to authorize to be raised, for the purpose of extending to my suffering fellow citizens the utmost protection in my power, two companies of mounted volunteers, which performed a term of duty. I recommend an appropriation of a sum sufficient to cover their pay and subsistence. This sum it will be the duty of the United States to refund, and it would, perhaps, be well to verify the necessity and propriety of the expenditure by a resolution calling on them to do so.

In my first message to the Legislature, I alluded to efforts which were then being made to sustain a class of land claims known to be fraudulent. Suits had been instituted and were pending in the Courts to enforce against the States the most stupendous scheme of fraud which was ever perpetrated, and had they resulted adversely to the interest of the State the consequence would have been hopeless bankruptcy.

I congratulate the State on having escaped an evil of such disastrous magnitude. The Supreme Court of the State has in two cases decided against their validity.— And in this connexion I feel called upon to express to the Legislature how high a degree of satisfaction is felt by the Executive of the State at the zeal, fidelity and ability with which the Attorney General discharged his duty in these cases, as well as in others of great magnitude, in which the rights of the State were involved, and in all of which, where final decisions have been made, the results have been similar.

The perpetrators of this fraud, however, resolved to exhaust every means and expend every effort to attain their ends, have appealed to the United States Court of the United States, where the cause is now pending for trial. In obedience to

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the requirement of an act approved 20th March, 1848, I have contracted with and employed John M. Harris, Esqr to represent the interest of the State of Texas in that case, and in such others as may be now pending in that Court, for the sum of two thousand dollars and his necessary expenses.

In discharge of the duties imposed on him by law, Judge Paine repaired to Santa Fe to effect the organization of that County and the eleventh Judicial District under the Constitution and laws of this State. I regret that I am unable to express to the Legislature my satisfaction at the result of his efforts so far as they are ascertained. No full report has been received from Judge Paine of the precise nature and extent of the obstacles which interposed to prevent his success; but it is enough to know that the authorities of the General Government, exercising military and civil jurisdiction in Santa Fe, not only refused to support him in carrying out the provisions of the act approved March 15, 1848, but assumed to be, and yet continue to act as the only legitimate representatives and administrators of the law in that territory, and announced their determination to maintain their authority at all hazards.

It remains for me then only to communicate the fact to your Honorable body that there can now exist no doubt that the General Government declines to recognise the right of Texas to the territory in which Santa Fe is situated, but has assumed and maintains the attitude of an adverse claimant. Two several communications, upon this subject, were addressed by me to the late President of the United States, one dated on the 23. March, 1848, covering the resolutions of the Legislature approved March 20, 1848, and requesting him, as directed by the 3rd section of those resolutions, "to issue orders to the military officers stationed at Santa Fe to aid the officers of Texas in organizing the County of Santa Fe and the eleventh Judicial District of the State of Texas, and in enforcing the laws of this State, if it should be necessary to call upon said officers to put down any resistance to the laws of Texas." The other, dated Oct. 6th, 1848, defining our claim and presenting at some length the grounds upon which that claim was based. Copies of both these communications are herewith transmitted.

To neither of these, however, was any response ever made, and although as you will perceive, by the tenor of these communications, I urged upon the General Government the importance and necessity of some final and authoritative disposition of this question, yet that Government has neither defined its position, nor furnished this State with its views of the question, and it remains in precisely the same condition in which it was, when the last Legislature adjourned.

A Communication was, also, addressed to President Taylor, in June last, reiterating the request made in my first to his predecessor, accompanied with a request that an answer be made in order to enable me to lay before the Legislature of this State his determination upon the subject. To this no response has yet been made. Should the United States persist in her claim to this territory, the circumstance that it has the possession places it in a position of great advantage with reference to Texas, although, that possession be the only essential ingredient of title which it possesses, and imposes upon you the necessity of adopting energetic and efficient measures to protect the rights of your State and acquit herself of what is due to her dignity and honor.

The bare denial of justice involved in an attempt to wrest from us this portion of our State is reproach enough; to succeed in that attempt would be a reproach still deeper; and for Texas passively to submit to such despoilment would be the deepest reproach of all.

Under these circumstances, it is for your Honorable body to consider and determine the course to be adopted by the State. It is folly to suppose that we can now legislate ourselves into our rightful jurisdiction over this portion of our Territory. An effort to do so has already signally failed. It is a question with which there should be no temporizing, for the sooner the issue is made, the sooner will the question be adjusted.

I would, therefore, recommend that ample power be conferred on the Executive of the State, and ample means be placed at his disposal, and that it be expressly required of him to raise the proper issue and contest it, not by demonstrating in argument the justness of our claim, nor by reference to our Statutes, but with the whole power and resources of the State. The result of any legislation short of this will be as barren and profitless as that which I regret it to be my duty to communicate.

It might not be unwise to despatch a commissioner to Washington City to acquaint the Federal Government with such determination as the State may adopt, to the end that another and fair opportunity be afforded it to render us justice.

As a consequence of the extension of our laws over the territory north and west of our present settlement, the necessity will arise of facilitating the means of intercourse between the extreme points of our State. To accomplish this object, I would respectfully suggest the propriety of having surveyed and opened a good road from the capital of the State to Santa Fe. Such a road, pursuing a practicable route in a generally N. W. direction, say from this point, might, in addition to its importance to the State, be made equally so to the General Government, were it to establish along this road a line of posts, and remove all the Indians to the east of it, and compel them to remain there; for by so doing, protection would be given to the whole valley of the Rio Grande, and as a matter of course to the frontier of Mexico, which, by treaty, it is bound to protect against the Indians residing within its borders. This done and our present temporary line on the North removed and established, say one hundred and fifty miles above where it now is, an extensive tract of valuable land would be opened to settlement, and our frontier fully protected.

This road, although it cannot be supposed that it would afford great facilities for the development of the resources of that part of our State would, nevertheless, render them far greater than any which exists at present. I would, therefore, recommend that the Legislature adopt such measures for the prosecution and attainment of this end as may be least embarrassing to the resources of the State; but at the same time the most certain to insure its accomplishment.

The subject of our public debt is one of great importance, and in our situation so difficult as to forbid the hope that any action which may be taken upon the subject will be satisfactory to all parties, unless the United States should purchase a portion of our domain.

The time within which the holders of our public liabilities are required to present these, will not have ex-

expired until the second monday of this month; consequently the Auditor and Comptroller will be unable to report fully until some time after that day. So soon as their report is made, I will lose no time in laying it before you.

Our only resource for the payment of this debt is our public domain; a wise and prudent disposition of which, however, at fair rates will not only relieve the State from debt, but make her one of the richest in the Union. It is for the Legislature to consider and determine the most judicious plan to be adopted to consummate without unreasonable sacrifice so desirable an object as the payment of our public debt.

A large portion of our public domain lies remote from, and is inconveniently situated, with reference to the present settled and organised portion of our State, and in consequence is rendered of far less value and importance to the State than it is intrinsically worth. This territory would seem to be of great value and importance to the United States, viewed with reference to the purposes which it would serve that Government in their settling her Indians, and in acquiring a complete jurisdiction over all her Indian relations now rendered so difficult and complicated by the fact that it has no jurisdiction over the soil. If, therefore, the United States Government should be disposed to purchase this Territory for a fair consideration, I should conceive it to be the interest of the State so to dispose of it. And I would recommend that the Executive of the State be authorized to entertain any proposition, in reference thereto, which the Federal Government may think proper to make, within a reasonable time, and enter into such provisional arrangement as may be deemed advisable, subject to the ratification of the Legislature of the State. In the event that no arrangement is made of this kind, it would be well for the Legislature to provide, with reference to its failure.

The State has no disposition to evade the payment of her debt, and would sacrifice much rather than that history should record such a reproach against her. Nevertheless it is not to be expected, nor is it our duty to sacrifice too much to this end. The only fund, to which reasonable men ever looked for the payment of this debt, was her public lands. To have expected twenty thousand tax payers to discharge it from taxation on their industry and wealth was an absurdity too gross

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ever to have been entertained. It is conceived then that if Texas makes proper provision by which the holders of her debt can convert it into land at fair rates, the State will not have failed in furnishing to the world the highest evidence of her disposition to pay it.

Should this mode of extinguishing our debt be adopted, it will be the duty of the State to see that the Indians now in the possession of a large portion of her public lands be removed far enough above the present Temporary line to enable our creditors to avail themselves of our offer; for under present circumstances, any attempt individually to appropriate this land would be attended with risk and danger far greater than any prudent man would willingly encounter.

They, who are invited to accept our land, should be enabled to acquire it without risk and enjoy it without danger.

As subsidiary to the proposed mode of paying our debt, I would suggest that the Legislature request the Federal Government to remove the present Temporary line between our settlements and the Indians, and establish it at least one hundred and fifty miles above where it now runs, and in the event of its failure or refusal to do so in a reasonable time, to confer upon the Executive of the State the power, and provide the means to enable him to effect it. This done, we could offer without a blush to our creditors an opportunity to convert their demands into land at fair rates. I would then, in the event the United States does not offer to purchase, recommend that certificates in quantities of six hundred and forty and three hundred and twenty acres be issued to the holders of this debt, who may be willing to receive them at rates not under fifty cents per acre, to be fixed by the Legislature,—the claims of those unwilling to this arrangement, to be paid hereafter at the pleasure of the State. And it would be well to provide that the certificates so issued, as well as all other certificates for land issued by the State and the late Republic, should be surveyed and patented, within some reasonable specified time, in order that the State might not be too long burthened with the heavy expense incident to keeping open her land office.

An act was passed on the 7th May, 1846, to authorize the Governor to procure and have set up, for the benefit of the several Counties of the State, a full set of weights and measures &c. The Chief Justices of several counties have written to the Executive, asking to be provided with a copy of these for their counties, in accordance with this law. In consequence, however, of no appropriation having been made to enable the Executive to carry this law into effect, it has remained a dead letter on our Statute book. The United States Government forwarded to this State a full set of weights and measures, but when they were about being set up, in pursuance of my direction, at Galveston, they were found to be in an unfit condition for use. I am advised, however, that with a small outlay they can be repaired.

A joint resolution, proposing an amendment to the Constitution of the State of Texas, approved March 14th, 1848, was, after being duly published in the public prints of the State, at the last general election submitted to the people as required by the Constitution, and as will be seen by the report of the Secretary of State, a very large majority of all the citizens of the State, voting for representatives, voted in favor of the proposed amendment.

I herewith transmit the several reports of the Attorney General, Secretary of State, Commissioner of the General Land Office and Adjutant General. To the statements and suggestions contained in each I invite the attention of the Legislature.

From the fact that the fiscal year expired on the 1st November, only a few days ago, it was impossible for the Comptroller of Public Accounts and the Treasurer to make their reports in time to accompany this communication. So soon as they are made, I will communicate them to the Legislature with such views upon the subject of taxation as may have suggested themselves to my mind in witnessing the operation of the present system.

I deem it of high importance that a more safe depository of the papers of the General Land Office should be provided than the present, so soon as the seat of Government is established; and to that end recommend that an appropriation be made to erect a fire proof building for that purpose. The present insecurity and expense to de-

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destruction of these important records, forcibly suggests the necessity of making arrangements at as early a period as possible for their safe keeping.

I would also recommend to the Legislature a division of the Supreme Court, so as to hold a session in the East, in the middle, and in the West. The administration of justice should not only be prompt, but the means to secure her aid should be accessible and convenient to all. The present arrangement in regard to the Supreme Court by which litigants are subjected to the expense and inconvenience of traveling, in some instances four or five hundred miles to prosecute their rights in the Supreme Court, is unsatisfactory to the citizens of the State, and they look to the Legislature and have a right to expect that the inconvenience may be remedied.

In my first message I called the attention of the Legislature to the fact that Congress had made an appropriation to build light houses upon Galveston and Matagorda Islands, and to the necessity of passing a law ceding jurisdiction to the General Government over such necessary ground as it might purchase for the purpose. The Legislature not having attended to this matter, the work has, in consequence, been suspended.

It will, also, be necessary to pass an act extending the laws of Texas over the one half of the waters of Sabine Pass, Sabine Lake and Sabine River, up to the thirty second degree of North latitude.

It will become your duty, under the 29th section of the third article of the Constitution, to fix the number of Senators and Representatives and apportion them among the several counties, according to the number of our free white population ascertained and reported according to law.

The heirs of many of those unfortunate men who fell with Fannin and Ward and at the Alamo, have never received the land-right certificates to which by law they were entitled, owing to the fact, in some cases, that they were ignorant of their rights and in others to inability to make the proof required by law. At the last session of the Legislature, an act was passed,

by

by which they were enabled to obtain their land on the certificates of the Adjutant General, that the persons, in right of whom the certificate is claimed appeared from the record of his office to have belonged to either of these commands. At the same session, however, the 11th Section of an act to detect fraudulent land certificates, &c, approved Feby 4th 1841, was repealed; in consequence of which there exists no tribunal to which they can resort for the attainment of their rights. I would recommend that the Legislature provide a method by which such persons may secure their rights.

The quota of arms, which the State of Texas is entitled to receive, has been forwarded to Galveston by the U. S. Government. There is no proper place provided by law for their safe keeping, and I would respectfully call the attention of the Legislature to the fact, and suggest that suitable provision be made

The Constitution of the State enjoins upon our Legislature the duty of making suitable provision, as early as practicable, for the support and maintenance of free public schools. It also appropriates apart and reserves for this purpose one-tenth of the annual revenue accruing from taxation. The amount of this fund in the Treasury on the first day of this month, was $25,503.82. It will require no labored discussion to impress upon your minds the importance of education. The framers of our State Constitution wisely declared that a general diffusion of knowledge is essential to the preservation of the rights and liberties of the people. No truth is more fully verified by all history. Nations, however powerful in numbers and physical resources, can never hope to achieve or perpetuate moral and political freedom where ignorance prevails. The vitality of republican forms of government especially, resides in the intelligence of the masses. An enlightened people will be neither the dupes nor the victims of corrupt political leaders. How immeasurably important, then, it is for us to give early attention to the mental and moral improvement of the generation growing up among us. Let some just and feasible plan be adopted, to apply the means now in the Treasury of the State to this object, so as to produce the greatest good to the greatest number. There is, it is true, not sufficient to establish and maintain a school in every neighborhood. It may, however, be

so distributed, under careful and competent supervision, as to aid the efforts of individuals, and go far in this way to encourage the cause of education. If it be permitted to lie in the Treasury until it be sufficient to support public schools throughout the State, it will be useless for many years. In the meantime, those who are now children will have grown up to be men and citizens, and many of them, perhaps, without being able to read the tickets which they place in the ballot-box. The consequences of such a result will not only be discreditable to those who are at this day the guardians of the public weal, but equally unfortunate in their effects upon general society. Vice, and crime, and a slavish subserviency to dictation, are the usual concomitants of ignorance. Let us arrest this state of things by timely action. Justice demands that the taxes paid by the present population of the State, for education, should be devoted to that object without unnecessary delay. To hoard them for the benefit of the next generation would be as manifestly unfair as it would, in my opinion, be unwise. The means at our disposal will do something for the cause of education, if judiciously applied. Let this be done at once, and there will be some security that the advantages thus conferred upon the present generation will yield abundant blessings upon the next.

I would recommend that the proper steps be taken to ascertain the present situation, in respect to location and survey, of the various grants of land heretofore made for purposes of education. It appears, from an examination of the acts of the Congress of the late republic, that the number of acres thus appropriated out of the public domain, is 1,731,348; of which 1,399,248, are general, and 332,100 acres special grants. I adhere to the opinion expressed in my first message, that it would be propicious to dispose of these lands, and bring the proceeds into a general school fund. The experience of other States justifies the belief that the system of leasing or renting them is not to be preferred. In Texas many years must elapse, and one or two generations pass away, before they would produce anything to aid the cause of education. I would therefore

suggest

that the Constitution be so altered as to bring these lands into market under proper regulations; and that the money derived from this sale be invested in safe and productive stock. The annual income from this source would probably be greater than the annual increase in the value of the lands; and some of the advantages of this rich inheritance secured to them by the labors and valor of their fathers, be enjoyed by their children.

I deeply regret that I am unable to commenicate any abatement of the efforts of the abolitionists at the North to agitate the question of slavery. It is respectfully conceived, that there has been already too much said upon this subject — one not admitted by the south to be debateable, — for we cannot view it as a question involving merely the continuance or abolition of slavery. Their interference involves other and far more serious consequences; for its tendency is to foment and encourage servile insurrection — the conflagration of our homes — the murder of our wives and children. Violent and inflammatory resolutions upon the subject have only the effect of exacerbating the feelings of our opponents already so intensely malignant, and to accelerate a crisis which every lover of his country should desire to avert. The danger which threatens the South is a common one, and it behoves them to make common cause against it; and when the emergency arrives, she has true sons enough whom temptation cannot cannot seduce nor danger appal, to protect alike her rights and the Union. A formidable party, too, in the Congress of the United States, are strenuously endeavoring, on every occasion that is presented, to apply the principles of the Wilmot Proviso to all the territory acquired from Mexico. Were they to succeed, the effect would be to exclude the South from a fair participation in the fruits of a conquest achieved chiefly by the valor of her sons. In deference to this territory, we ask nothing which is not secured to us by the guarantees of the Constitution. Under them there is but one American citizenship, and that forbids the idea of any restraint upon his personal movements within the limits of the nation. It involves a ubiquity of privileges — the freedom of commercial intercourse and the right to carry his person, his opinions, and his property, to all the possessions of the Union; and if these rights

be not sacred, our Constitution is but little better than a parchment.

Geo. T. Wood

Secretary of State's Report.

Department of State,
Austin, November 1, 1849.

Sir:— I have the honor to submit to your Excellency the accompanying exhibits:

1.— Of the census of the several counties for the year 1848:

2.— Of the vote of the several counties on the proposed amendment of the State Constitution:

3.— Of the amount of fees collected by this Department, from the 20th March, 1848, the date of the passage of the law authorizing the same to be charged, up to the present time; and—

4.— Of the several appointments to office made by your excellency during the recess of the Legislature, which may require the action of the Senate.

It will be seen, that neither the returns of the census nor of the vote on the proposed amendment of the Constitution, are complete— a few counties having failed to send them in.

As the transactions of my office are confined to minute details, having but little relation to subjects of general State policy, it will not be expected that I should do more, in this report, than invite your Excellency's attention to those points immediately connected with the performance of my duties, and which seem to me to require

require the action of the Legislature.

During the period I have been in charge of this Department, the amount of business done has been necessarily large. Much of it has grown out of the general and special elections held during this and the last year, for County Officers, electors of President and Vice-President, Governor and Lieutenant Governor, Commissioner of the General Land Office, members of the Legislature and of Congress, and on the proposed amendment of the Constitution. I am able to say, however, that the multifarious duties devolved upon me have been all fully performed; and that the business of the office is complete up to the present date.

No appropriation was made by the last Legislature, to meet the expense of taking the census of 1848, for the compensation of the electors of President and Vice-President, or for the publication of the joint resolution proposing an amendment of the Constitution, and required by law to be published in the public prints of the State.

I should remark, also, that the amount appropriated to defray the contingent expenses of this office, has, under the strictest economy, been found to be wholly inadequate. The postage, alone, upon the multitude of Commissions required to be sent out, and upon the numerous bulky returns made to the office, as well as upon the large correspondence necessary to be kept up with Chief Justices of counties, has absorbed the greater part of the sum appropriated. In addition to this the arrearages of the Department for 1846, and 1847, have been paid, leaving but little to be applied to the purchase of the necessary Stationary and Blanks, and to the publication of the proclamations of the Executive.

Estimates required to discharge required to discharge the liabilities of the Department, contracted in the performance of duties imposed by law, will be submitted in due time — with the hope that the Legislature will, at an early day, make adequate provision for their payment.

The first volume of the Reports of the Decisions of our Supreme Court has been published, and the number of copies subscribed for by the State, under the provisions of the act of the 18th February, 1848, have been received. A copy has been distributed to each of the Judges of the Supreme and District Courts, District Attorneys, and Governors of the States and Territories,

Territories. It will be for the Legislature to say what disposition shall be made of those remaining on hands.

Frequent application has been made to me by the Officers of Counties recently organized, for complete sets of the Statutes of the late Republic. It has been found impossible to furnish them, as a portion of the copies have been entirely exhausted. In the event that a Digest of the laws is not speedily published, the cause of public justice would seem to demand that a sufficient number of copies of the general acts of the seventh, eighth and ninth Congresses, and of the extra session of the Sixth, should be reprinted.

Some suitable provision for the repair and better preservation of the books, maps, &c., belonging to the State Library, should be made. Many of them are rare and valuable, and could not be easily replaced if permitted to go to destruction. This must be the result, however, unless the proper steps be taken at an early day to prevent it.

I would suggest the propriety of a law, requiring the Secretary of State to turn over all judicial reports received in exchange from the other States, to the Clerk, for the more convenient use of the Supreme Court, taking the proper receipts therefor.

The building now occupied by the State Department is poorly adapted to the proper protection of the contents of the office. It is connected on two sides with the residences of families, and is constantly exposed to conflagration. In such an event, but a small part of the archives, containing, as they do, papers of great interest and value to the people of the State, could probably be saved. I would, therefore, particularly recommend that the Legislature authorize the Secretary of State, to select some one of the other public buildings; and that the same be reserved for the use of his office. It should by all means be removed from its present locality.

The time has fully arrived, when, if ever, the Legislature should make provision for collecting, arranging, and preserving, in some durable and accessible form, all the public data now to be obtained, relating to the history of Texas from its first settlement to the period of its

its admission as a State of the Union. Doubtless many valuable historicals materials have been already lost, and they are constantly perishing. Some effort should be made to secure those that remain from a like fate. Many of the other States have, within the last few years, employed competent men to collect their early historical records from their obscure depositories in this and foreign countries; and much regret has been expressed, that they did not sooner undertake a task of so much interest and importance. Justice to the memory of the pioneers and patriots of Texas who have passed from life, as well as a proper regard for the wishes of the present and future generations, requires that this State should now undertake the performance of a similar commendable work. It would probably take some two or three years of arduous labor to execute the duty properly, in all its details. The expenses of translations, transcriptions, travelling, postage, printing, stationary, and pay of the person employed, would necessarily be about two thousand dollars a year. It is believed that this sum could not be applied in any way to give more satisfaction to the people of the State.

I would also respectfully recommend that some suitable provision be made for bringing home the archives of the foreign legations and consulates of the late Republic of Texas. Those of the legation to the United States still remain at Washington. The consular records at New Orleans and New York contain, as I am informed, evidence of transfers of property between individuals, which may become of great importance to the parties interested, in the event of the loss of the originals. To make them available for authentication, they should be placed in possession of the State Department.

I have the honor to be,
Very respectfully,
Your obedient Servant,

W. D. Miller,
Secretary of State.

His Excellency, Governor Wood.

Exhibit

Of the Census of the State for the year 1848.

Exhibit of the Census of 1848.

Counties.	Electors.	White males under 18 years	White males over 18 and under 45 years.	White males over 45 years.	White females	Slaves.	Free Colored persons.	Total White population.	Total white and Colored population.
Anderson,	425	559	417	86	951	336	.	2.013	2,349
Angelina,	132	204	119	32	334	164	1	689	854
Austin,	351	440	391	91	699	1.314	6	1.621	2,941
Bastrop,	389	421	379	59	684	650	4	1.543	2,197
Bexar,	699	836	1.139	131	1,630	224	19	3.736	3.979
Bowie,	299	325	269	63	508	1.224	.	1.165	2.389
Brazoria,	376	454	537	129	685	3.219	8	1.805	5.032
Brazos,	85	108	65	20	160	113	.	353	466
Brunleson,	229	277	211	60	448	347	.	996	1.343
Caldwell,	126	172	129	27	235	121	3	563	684
Calhoun,	143	119	208	35	290	147	2	652	801
Cameron,									
Cass,	578	833	544	144	1,148	1.386		2,669	4,055
Cherokee,	836	1.051	786	167	1.556	931		3,560	4491
Collin,	233	281	236	42	447	80		1,006	1.086
Colorado,	260	356	311	65	529	574	8	1.261	1.843
Comal,	163	331	389	76	614	55		1.410	1.465
Cooke,	19	28	16	4	51			99	99
Dallas,	485	585	436	100	987	178		2,108	2286
Denton,	229	209	235	24	446	10		914	924
DeWitt,	207	205	194	25	373	368		797	1.165
Fannin,	630	845	627	126	1,403	395	1	3,001	3.397
Fayette,	467	614	501	113	924	666	6	2,152	2,824
Fort Bend,	213	187	191	36	327	1,171	4	741	1.916
Galveston,	751	832	1,137	115	1,585	631	24	3.669	4,324
Gillespie,	281	238	249	45	434			966	966
Goliad,	124	63	98	26	157	154		344	498
Gonzales,	231	258	254	40	406	461	3	958	1,422
Grayson,	275	367	267	52	574	141		1,260	1,401
Grimes,	426	506	417	100	835	1294	1	1.858	3,153
Guadalupe,	219	189	185	50	341	253	4	765	1,022

Counties	Electors.	White males under 18 years.	White males over 18 and under 45 years	White males over 45 years.	White Females.	Slaves.	Free Col'd persons.	Total white population.	Total white and Col'd population
Harris,	445	1,392	1,779	364	2,806	1,008	32	6,341	7,381
Harrison,	602	801	660	149	1,303	3,456		2,913	6,369
Hays,	52	64	53	3	70	83		190	273
Henderson,	214	276	203	47	476	95	2	1,002	1,099
Hopkins,	417	607	390	80	962	110	1	2,039	2,150
Houston,	351	319	392	95	722	500	1	1,508	2,009
Hunt,	240	342	220	45	579	19		1186	1,205
Jackson,	128	113	102	35	207	265	19	457	741
Jasper,	196	286	179	48	442	344		955	1,299
Jefferson,	314	365	281	76	547	184	45	1,269	1,498
Kaufman,	204	249	178	49	420	57	1	896	954
Lamar,	649	1,112	709	160	1,715	886	5	3,696	4,587
La Vaca,	157	268	148	27	371	327		814	1,141
Leon,	206	339	211	36	369	300		955	1,255
Liberty,	450	435	393	57	661	773	18	1,546	2,337
Limestone,	316	335	290	55	504	478	1	1,184	1,663
Matagorda,	248	184	232	50	380	1,232	3	846	2,081
Medina,	81	204	192	16	313			725	725
Milam,	173	244	164	35	283	185		726	911
Montgomery,	290	344	282	68	548	685	21	1,242	1,948
Nacogdoches,	642	887	648	156	1,443	1,122	64	3,134	4,320
Navarro,	296	401	264	67	583	185	4	1,315	1,504
Newton,	226	347	204	60	446	334	9	1,057	1,400
Nueces,	400	161	557	22	298	42	1	1,038	1,081
Panola,	354	418	311	75	748	764		1,552	2,316
Polk,	270	385	259	60	552	601	2	1,256	1,859
Red River,	687	936	726	135	1,513	1,456	12	3,310	4,778
Refugio,	89	54	80	10	109	15		253	268
Robertson,	188	204	185	36	340	280		765	1045
Rusk,	657	1128	912	123	1,728	1040	40	3,891	4,971
Sabine,	312	334	265	54	607	754	1	1260	2015
San Augustine,	420	610	385	114	896	1,497		2005	3502
San Patricio,	40	31	35	6	62	4		134	138
Santa Fé,									
Shelby,	639	830	604	123	1287	847		2844	3,691
Smith,	356	467	343	87	732	280		1629	1909

Counties	Electors.	White Males Under 18 Years.	White Males. over 18 and under 45 yrs	White Males Over 45 Years.	White females	Slaves.	Free Colored persons.	total white population.	total white and Colored population
Starr,	262	324	236	36	440		4	1,036	1,040
Titus,	506	623	485	99	929	354	2	2,136	2,492
Travis,	713	368	714	51	687	571	12	1,820	2,403
Tyler,	188	339	191	44	423	269		997	1,266
Upshur,	306	447	303	58	696	192		1,504	1,696
Van Zandt,	210	288	186	34	399	36		907	943
Victoria,	270	255	316	60	474	449	1	1,105	1,555
Walker,	515	584	485	86	826	854		1,981	2,835
Washington,	573	644	571	105	1,134	1,824	5	2,454	4,283
Webb,									
Williamson,	107	169	86	32	221	26		508	534
Wharton,	147	111	140	20	175	1065		446	1,511
Total,	25,393	31,517	27,486	5,311	51,187	42,455	400	115,501	158,356

Recapitulation

Electors . . . . . 25,393.
White males under 18 years . . . 31,517.
White males over 18 and under 45 years. 27,486
White males over 45 years, 5,311.

Total White males, ... 64,314
Total White females, ... 51,187.

Total white population, ... 115,501.
Total Slaves, ... 42,455
Total free Col'd persons, ... 400

Total population of State returned. . 158,356.

The State of Texas.

I, the undersigned, Secretary of State, do hereby certify that the foregoing is a full and correct exhibit of the enumerated population of the State, for the year 1848, according to the returns received and on file in the Department of State.

In testimony whereof, I have set my hand and affix the State Seal at Austin,

of Austin, the first day of November, 1849; and in the year of the independence of Texas, the fourteenth.

L. S.

J. P. D. Miller,
Secretary of State.

Exhibit.

Of the Vote of the Several Counties on the proposed Amendment of the Constitution, August 6, 1849.

Exhibit of the vote on proposed amendment of the constitution.

	For	Agt	New		For	Agt	New
Anderson,	333.	7.	11	Gonzales,	101	33	28
Angelina,	41	19	18	Grayson,			
Austin	167	26	6	Grimes,	232	79	28
Bastrop,	224	84		Guadalupe,	112	26	9
Bexar,	451	203		Harris,	557	164	47
Bowie,	122	52	6	Harrison,	596	85	
Brazoria,	302	17.	22	Hays,	35	12	9
Brazos,	45	11	5	Henderson,	163	10	3
Burleson,	120	37.		Hopkins,	314	12	4
Caldwell,	119	45	36	Houston,	269	46	
Calhoun,	93	38		Hunt,	164	1	
Cameron,	129	31	128	Jackson,	51	48	
Cass,	270	52	25	Jasper,	122	3	
Cherokee,	489	65	64	Jefferson,	47	2	
Collin,	239.	15		Kaufman,	103	27	
Colorado,	93	17	11	Lamar,	515	36	
Comal,	150	33	7	Lavaca,			
Cooke,	33.			Leon,	96	6	11
Dallas,	339.	15		Liberty,	200	26	4
Denton,	67	8		Limestone,	142	56	54
DeWitt,	78	40	9	Matagorda,	71	63	14
Fannin,	427	22	11	Medina,	50	3	2
Fayette,	346	33	50	Milam,	103	56	52
Fort Bend,	145	29	30	Montgomery,	125	62	
Galveston,	287	63	168	Nacogdoches,	433	93	
Gillespie,				Navarro,	257	39	18
Goliad,	55	11	4	Newton,	168	6	

	For	Ag't	Neu		For.	Ag't	Neu.
Nueces,	78	154		Smith.	197	2	
Panola,	214	60		Starr	154	8	92
Parker,	211	15	22	Titus	437	11	14
Red River	479	28		Travis	356	37	27
Refugio,	29	20		Tyler	151	15	
Robertson,	54	64		Upshur	254		
Rusk,	730	131		Van Zandt	101	8	
Sabine,	220	7		Victoria	118	42	53
San Augustine,	174	99		Walker	394	32	
San Patricio,	22	4		Washington	443	92	49
Santa Fé				Webb	201	204	62
Santa Fé,				Williamson	120	17	119
Shelby.	468	103		Wharton	57	19	
					15852	3139	1932

Note.—No returns received from the counties of Gillespie, Grayson, LaSalle, and Santa Fé.

From the Counties of Bexar, Cherokee, Montgomery, Nacogdoches, Nueces, Smith, Tyler, Walker, Webb, and Williamson, no lists of voters' names, but the results only, returned. Deducting the returns of these Counties, for informality, the aggregate vote for the amendment would be 13,213; against the amendment, 2,292; and neutral, 1,687.

Recapitulation:

For the Amendment, ...	15,852.
Against the Amendment, . .	3,139.
Neutral . .	1,932.
Total number of votes . . .	20,923.
For the amendment, as above, ...	15,852.
Against the amendment and neutral, as above,	5,071.
Majority in favor of the amendment, .	10,781.

Recapitulation, excluding the informal returns.

For the Amendment, . .	13,213.
Against the amendment, . .	2,292.
Neutral.	1,687.

Total number of votes	17,192.
For the Amendment, by this statement,	13,213.
Against the Amendment and neut, by this statement.	3,979.
Majority in favor of Amendment	9,234.

The State of Texas.

I, the undersigned, Secretary of State, do hereby certify that the foregoing is a full and correct exhibit of the vote on the proposed amendment of the Constitution, cast on the 6th day of August, 1849, according to the returns received and on file in the Department of State.

In Testimony whereof, I hereto set my hand and affix the State Seal, at Austin, the first day of November, 1849, and in the year of the independence of Texas, the fourteenth.

L S

H. D. Miller

Secretary of State.

Exhibit of fees.

Exhibit,

Of the amount of Fees received by the Department of State from March 20, 1848, to October 31, 1849, and paid into the Treasury of the State.

Amount for the quarter ending	June 30, 1848,	$28 30
Amount for the quarter ending	September 30, 1848	70 40
Amount for the quarter ending	December 31, 1848,	73 31
Amount for the quarter ending	March 31, 1849.	37 50
Amount for the quarter ending	June 30, 1849.	25 00
Amount for the quarter ending	September 30, 1849.	20 00
Amount for the month of	October ... 1849.	16 50
Total		$291.01

I, the undersigned, Secretary of State, do hereby certify that the foregoing is a correct exhibit of the amount of fees collected by the Department of State from the 20th of March, 1848, to the 31st day of October, 1849.

In Testimony whereof, I hereto set my hand and affix the Seal of State, at Austin, the 31st day of October 1849.

L. S.

M. D. Miller,
Secretary of State.

Estimate

Estimate for payment of arrearages.

Of the amount of appropriation required to defray the arrearages of the State Department, for the following purposes:

For mileage of the Electors of President and Vice President of the United States, in going to and returning from the Seat of Government in November, 1848, at the same rate allowed members of the Legislature; for publishing joint resolution proposing an amendment of the Constitution in the Public Prints of the State; and for outstanding liabilities of the State Department, incurred in the performance of duties enjoined by Law: Thirteen hundred and Seventy five dollars, or so much thereof as may be necessary.

The foregoing amount will probably be required to meet the unavoidable outstanding liabilities of the State Department, incurred in the performance of duties enjoined by Law, and an appropriation therefor is respectfully asked to be made at an early day.

W. D. Miller,
Secretary of State.

Executive Office,
Austin, November 9. 1849.

To the Honorable, the Senate.

Gentlemen.

I present for your advice and consent thereto, the names of the following gentlemen as Notaries Public.

Message nominating Notaries Public

Benjamin F. Hilliman, for Houston County.

Francis Morrison
George H. Shell
Henry D. Woodsworth
John A. Rutherford
} For Lamar County

William H. Gilcree for Lamar County
Robert Price " " "
Benjamin Gooch " Williamson "
Solum T. Patrick " Polk County,

I have the honor to be
Your Obt Servant,

Geo T. Wood

Executive Office,
Austin, November 10, 1849.

To the Honorable the Senate,
Gentlemen.

The names upon the accompanying list, being appointments made in the recess of the Senate, are respectfully submitted for your advice and consent thereto.

I have the honor to be,
Your Obt Svt,

Geo T. Wood

Message nominating Notaries Public, Directors of the Penitentiary and Pilot Commissioners.

Notaries Public appointed in the recess and qualified.

Names.	County	Names	County.
Jas. M. Perry	Anderson	H. B. Littlefield.	Liberty
William L. Massey	Bastrop	Thomas Conway	do
James Gooch	Bexar	Thos. H. Forrester.	Matagda
E. D. Nash	Brazoria	Albert Hardwick	do
Ormsbill Jones	do	Mercer Fain.	Navarro
Russell Arnoldy	Cameron	Jas R. Armstrong	Rusk
Benj. Moses.	do	John McClatty	do
E. P. Donnelly	Cherokee.	J. B. J. Oliver	do
John H. Cole	Dallas.	E. C. Nisbett	Starr
William Burkett	Fannin	R. J. Holbrook	Titus
Demetrius Willis	Gonzales.	Thomas Willison	do.
Chas. R. Jones Jr	Henderson	Josiah Fiske	Travis
Thos H. Blake.	Lee	M. B. Holbrook	Victoria
John Patrick	do	Thos Lane.	Washington
John H. Ellis	do.	Richd J. French	do.
Anderson J. Morel.	Williamson.	Jabez D. Giddings	do.

Directors of the Penitentiary.	Pilot Commissioners.
James H. Shaw.	W. H. Forbes. Seguin
Henderson Yoakum.	L. K. Fulton "
Thomas J. Browell.	Moses Johnson "
	John W. Rose. "
	James K. McCreary. Esq. Paso Cavallo.

House of Representatives,
Austin, Nov. 10, 1849.

Hon. W. D. Miller,
Sec. State
Sir,

Resolution of the House calling for information

I am directed by the House of Representatives to inform you of the adoption of a Resolution by that body, on yesterday, in the words following, viz.

"Resolved, that the Secretary of State be requested to furnish this House with a full and complete report of the vote taken on the 6th day of August last, upon the proposed amendment to the Constitution.

I have the honor to be,
Very respectfully,
Your obt Svt.
Ben. F. Hill,
Chief Clk.
H. R.

Department of State,
Austin, November 10, 1849.

To the Honorable
The Speaker of the House of Representatives:
Sir;

In reply to the Resolution of the House of Representatives of yesterday, requesting the Secretary of State to furnish "a complete and full report of the vote taken on the 6th day of August last, upon the proposed Amendment to the Constitution," I have the honor to state, that since the date of the exhibit accompanying my report to the Governor of the 1st Inst., no further returns have been received at this Department, of the vote on the said proposed Amendment. The exhibit to which I refer, was prepared with the utmost care from the returns which had then come to hands, and it is believed to be strictly accurate.

Note to the House transmitting returns of the vote on the amendment of the constitution.

To enable the House, however, to verify its correctness, I herewith transmit the original returns, with the request that when they shall have been examined, they may be returned to this Department.

I have the honor to be,
Very respectfully,
Your obt. Svt.,

M. D. Miller,

Secretary of State.

Remission of fine of G. Cook

Whereas, it has been represented to me that Grandberry Cooke, a citizen of the County of Sabine, was, at the Spring Term A. D. 1848, for Sabine County, convicted upon an indictment for playing at cards, and fined in the sum of fifty dollars:

Now be it known that I, George T. Wood, for satisfactory reasons to me presented, do by virtue of the power vested in me by the Constitution and laws of the State of Texas, remit the said fine of fifty dollars, and direct that such returns and entries be made by the Sheriff and Clerk of the said Court as to give effect to this act.

L S

Given under my hand and the Great Seal of the State, at Austin, this the twelfth day of November, A. D. 1849, and of the independence of Texas the fourteenth.

Geo. T. Wood

By the Governor.

W. D. Miller.

Secretary of State.

Executive Office,
Boston, November 14, 1849.

To the Honorable the Senate,
Gentlemen.

Message nominating Attorney General.

I have the honor to transmit the name of Henry F. Brewster, Esquire, as Attorney General for the State of Texas, to fill the vacancy occasioned by the resignation of John H. Francis, Esquire, for your advice and consent thereto.

I have the honor to be,
Your Obt. Svt.,
Geo. S. Boutwell

Senate Chamber,
November 14, 1849.

Hon. H. D. Gilpin,
Secretary of State.

Sir,

Resolution of the Senate calling for information.

I am directed by the President of the Senate to direct your attention to the following resolution:

"Resolved, by the Senate, that the Secretary of State be requested to furnish the Senate such information as may be in his possession, in relation to suits, instituted by the State against the contractors of the Colonies of Peters and his associates, and of Edwin Fenton Hewes and his associates, whether said contracts have been declared forfeited or not, &c."

I have the honor to be, &c.,
Your Obt. Svt.,
N. C. Raymond,
Sec. Senate.

Note to the Senate transmitting information in relation to Peter's colony, and Mercer's.

Department of State,
Austin, November 16, 1849.

To the Honorable John A. Green,
President of the Senate,
Sir,

In reply to a resolution of your Honorable Body of the 1st inst. requesting the Secretary of State "to furnish the Senate such information as may be in his possession in relation to suits instituted by the State against the contractors of the Colonies of Peters and his associates, and of Charles Fenton Mercer and his associates, &c., &c.," I herewith transmit a letter from Josiah F. Crosby, Esqr. District Attorney of the Third Judicial District, accompanied by a transcript of the proceedings in the case of the Governor vs Charles Fenton Mercer and his associates, in the District Court for Navarro County. This document, together with the report of the Attorney General, already communicated to the Senate, embraces all the information in my possession concerning the said suits.

As the papers enclosed are originals, I beg the favor of the Senate to order their return to this Office after they shall have done with them.

I have the honor to be,
Very respectfully,
Your obt. Svt.,

W. D. Miller

Secretary of State.

Department of State,
Austin, December, 15, 1848

To the Honorable,
The Speaker of the House of Representatives,
Sir,

I have the honor to report to the House of Representatives, the following exhibit of the Census of the County of Cameron, for the year 1848, this day received at this Office, Viz:

Note to the House transmitting the census return from Cameron for 1848.

Electors, ...	1367.		
White males under 18 years, . . .	806		
White Males over 18 and under 45 years	1573		
White males over 45 years .	96		
Total White males.		2475	
Total white females		1628	
Total white population.			4103
Total Slaves			44.
Total free persons of color			22
Total population of County, white and colored.			4169.

The foregoing added to the returns previously received and reported to the Legislature, will make the following aggregates, Viz:

Total electors of the State.	26,760		
White Males under 18 years . . .	32,323.		
White males over 18 and under 45 years	29,059.		
White males over 45 years. . .	5,407.		
Total white males.		66,789.	
Total white females.		52,815	
Total white population			119,604
Total Slaves			42,499.
Total free persons of color. . . .			422.
Total population of State returned .			162,525.

I have the honor to be,
Very respectfully,
Your Obt. Svt.,

W. D. Miller,
Secretary of State.

Remission of sentence of Stephen Rodgers

The State of Texas.

Whereas it has been represented to me that, at the April Term of the District Court, 1849, held for the County of Anderson, one Stephen Rodgers, a citizen of the County of Grimes, in said State, was tried for murder and found guilty of manslaughter and sentenced to imprisonment for the term of two years and six months in the County Jail.

Now, be it known that I, George T. Wood, Governor of the State of Texas, by virtue of the power and authority vested in me by the Constitution and law, do by these presents pardon and remit the imprisonment to which the said Rodgers was sentenced, and direct the Sheriff of said County to release and discharge the said Rodgers from arrest and confinement, and make return of this act of pardon to the Clerk of the District Court of the said County of Anderson, that he may enter upon his records the fact of this pardon and remission to the end that the said Rodgers may go at large without molestation.

S. S.

Given under my hand and the Great Seal of the State, at the City of Austin, this the twentieth day of November, in the year of Our Lord one thousand eight hundred and forty nine, and of the independence of Texas the fourteenth.

Geo T Wood

By the Governor,

W. D. Miller.

Secretary of State.

Senate Chamber.
Feb. 9. 1849.

Sir,

Inquiry from the Senate in relation to the nominations submitted.

I am directed by the Senate to inquire if the Nominations submitted by you on the 12th Inst. for Notaries Public, Directors of the Penitentiary and Pilot Commissioners, are original appointments during the recess, or appointments to fill vacancies which occurred during the recess.

I am very Resp. Sir,
A. C. Raymond,
Sec. Senate.

(Ingrossed.)

To George T. Wood,
Governor, &c.

Department of State,
Austin, November 21, 1849

His Excellency the Governor,
Sir:

Report of the Secretary of State in relation to the above inquiry.

I have examined the Official records of this office to ascertain whether any of the nominations made by your Excellency to the Senate, on the 11th Inst. for Notaries Public, Directors of the Penitentiary and Pilot Commissioners, are based upon original appointments made during the recess; and I have the honor to report that, as regards Notaries Public they were all appointed to fill previously existing vacancies caused by death, resignation, refusal to qualify or removal from the County, with the exception of Andrew J. Harrell, Notary for Williamson County. This latter was an original appointment where no vacancy previously existed.

The Pilot Commissioners were appointed to fill vacancies.

The directors of the Penitentiary were original appointments during the recess.

I have the honor to be,
Your Excellency's Ob. Serv.
A. J. Hamilton
Secretary of State.

Message to the Senate in relation to nominations made.

Executive Office,
Austin, November 21, 1849.

Gentlemen of the Senate,

In reply to the inquiry communicated to me through Mr. Raymond, your Secretary, in relation to the nominations made by me to your Honorable Body on the 10th Inst., I transmit herewith the Statement of the Secretary of State in relation to the character of the appointments made by me during the recess.

The appointment of the Directors of the Penitentiary was absolutely necessary in the prosecution of the objects of the law providing for the erection of that building, and was rendered especially so by the fact that, after the first day of January last, our Statute for the punishment of crimes had reference to this system of punishment; and without some steps being taken in relation to it, and a Directorship organized, there could have been no punishments inflicted for the higher grades of offences.

I have the honor to be,
Your Obt. Svt.,

Geo. T. Wood

Executive Office,
Austin, November 21, 1849.

Gentlemen of the Senate:

I have the honor herewith to submit the enclosed names for your advice and consent as Notaries Public for the several Counties therein mentioned:

Geo. T. Wood

Message nominating Notaries Public.

Samuel A. Roberts	for Fannin County.
Alexander Berry	" Collin "
Richard T. Stewart and A. H. Crooks	for Red River County.
James A. Mayrie	" Fayette "
Joseph H. Longal and Malcolm Guinn	Smith County
George W. Linsey and J. W. Thomas	Bowlesow County

The above appointments are to fill vacancies — — — —

Joseph Williams, Thomas R. Jennison, James Hooker and J. N. Pebles	for Hunt County.
Abner Johnson, M. H. Moore and C. G. Parsons	for Kaufman County
David Overton, John Jordan and Jesse Gage	for Vangandt County

The appointments for the three above named Counties are original ones.

House of Representatives,
Austin, November 14, 1849.

Hon. M. D. Miller,

Resolution of the House requesting information.

I am instructed by the Hon. the House of Representatives, to inform you of the adoption of the following Resolution:

"Resolved, that the Secretary of State be requested to furnish this House with all the information which may be in his office in regard to the Grant of Land made by the Government of Texas to Meuer, Peters and others, commonly known, as Peters' Colony.

I have the honor to be,
Very respectfully,
Your Obt. Svt.,
Ben. F. Neill,
Ch. Clk.,
H. R.

Department of State.
Austin, November 22, 1849.

To the Honorable
The Speaker of the House of Representatives.
Sir,

Note to the House transmitting information in relation to Peters' colony.

I herewith transmit to the House of Representatives the information requested by their resolution of the 14th, relative to the Colonization Grant of Meuer, Peters and others.

I have the honor to be,
Very respectfully,
Your Obt. Svt.,
M. D. Miller,
Secretary of State.

Executive Office,
Indianapolis, December 22, 1859

Gentlemen of the Senate:

I have the honor to transmit herewith the plan of a Digest of the Penal Laws of the State, prepared with great care by O. C. Hartley, Esquire, with the opinion of highly competent gentlemen who have examined the work, in reference to its merits.

It is for the Legislature to adopt such method as it may deem advisable to ascertain the merits of the work for themselves, to the end that if it prove acceptable, proper arrangements may be made for its publication.

I have the honor to be,
Your obt. Svt.,
Geo. J. Wood

Message to the Senate in relation to Digest by O. C. Hartley

The State of Texas,
A State of the United States of America.

Letter of citizenship to Albert Von Ger-Mar.

I, George T. Wood, Governor of the State of Texas, by virtue of the authority in me vested by the Constitution and laws, hereby certify, make known and declare to all whom it may concern, that Albert Von Ger-Mar is now, and has been since the convention of Texas to the United States of America, a citizen of this State (and of the said United States), and that he is entitled to all the rights, privileges, and immunities to such citizenship belonging, or in anywise appertaining.

And I do hereby request the Governors and Magistrates of other States throughout the world, to permit the said Albert Von Ger-Mar to fully and peaceably exercise and enjoy within their respective jurisdictions, the rights, privileges, and immunities aforesaid.

L. S.

In testimony whereof, I have hereunto set my hand, and caused the Great Seal of the State to be affixed, at the City of Austin, the twenty third day of November, 1849, in the year of the Independence of the United States the seventy-fourth, and of Texas the fourteenth.

Geo T Wood

By the Governor.

W. D. Miller.

Secretary of State.

Secretary's Office,
Lincoln, December 29, 1849

Gentlemen of the Senate.

I have the honor to submit for your notice and consent, the following nominations of Notaries Public for the County of Fayette. Viz:

Message nominating Notaries Public.

William G. Hall.
John Haynie } both to fill vacancies.

I have the honor to be &c.

Geo. G. Wood

State Department,
Lincoln, December 26, 1849.

To the Committee on Finance,
of the Senate and of the House of Representatives,
Gentlemen:

Note to Committees of Finance of both Houses

Supposing it probable that Sundry appropriations will be made for the payment of the Electors of President and Vice President, and for the publication of the joint resolution concerning the Constitution, both of which items were included in the estimate of expenses heretofore submitted to you, I take the liberty of now bringing you the subsequent statement of the amount required. It will be observed that some items against the State Department, have been drawn for. I am bound, respectfully, to request that a corresponding appropriation may be made at an early day, in order that these claims may be discharged before the incoming of the next administration, which I desire to have unencumbered with their payment, as well as to relieve any pecuniary difficulties to those who may be obliged to look for their pay to the State in credit.

I am, &c. very respectfully,
Your obt. Svt.

Wm. Miller
Secretary of State.

For arrearages due by the Department for stationery, books, postage, printing, &c., the sum of Six hundred dollars, or so much thereof as may be necessary.

W. S. Miller,

Secretary of State.

Department of State,
Austin, November 28, 1849.

Hon. J. M. Clough,
Chairman of Committee on Affairs of State,
House of Representatives:

Sir,

In reference to the inquiries contained in your note of yesterday, I have the honor to remark:

Note to Chairman of Committee on Affairs of State House of Representatives

1. That there are now remaining on hand in the State Department, about two hundred and fifty copies of the first volume of the Reports of the Decisions of the Supreme Court. No legal rule for their distribution has yet been established. It would probably be well to prescribe by law how the present and succeeding volumes shall be distributed, and who shall be entitled to receive them. I am of the opinion that a copy of each volume should be forwarded to each of the States and Territories of the Union, to the Libraries of Congress and Supreme Court of the United States, by way of exchange for similar works; and a copy also to each of our Supreme and District Court Judges and District Attorneys, and to the Governor, Secretary of State, Attorney General, Adjutant General, Comptroller, Treasurer and Auditor. It might be judicious also, to forward a copy to each county, to be preserved in the County Clerk's office. — The same suggestions may properly be made in respect to the distribution of any Digest of our laws hereafter to be published by the State.

2. The judicial reports received by this State in exchange from the other States and Territories, should, it seems to me, be turned over to the Supreme Court to be preserved by the Clerk thereof for the use of the Court. As the law now stands, they are required to be deposited in the office of the Secretary of State; and this arrangement imposes upon the Judges and the members of the bar, considerable inconvenience in all cases where the books are consulted.

3. In my report, I recommend that another of the public buildings should be selected and set apart for the use of the State Department, in consequence of the manifest insecurity of the present building. A law authorizing the Secretary of State to make such selection will be necessary, and as the public buildings will be rented on the first day of January next, this authorization should be given previous to that day. I would prefer however, leaving this duty to the incumbent of this office under the incoming administration. So, if the law for this purpose is passed by the 21st December next, it will be in time.

4. A small amount - say two hundred dollars - should be appropriated as the contingent fund of the State Department for the repair and better preservation of the books, maps, &c., now belonging to the State. Suitable cases should be constructed in the building to which the office may be removed, to hold the books after they shall have been repaired by the binder.

5. The archives of the legation of Texas at Washington City are somewhat bulky. They could however, be packed in boxes and forwarded by our Representatives in Congress to Galveston, by way of New York. The cost need be no more than the charges for transportation and forwarding. The archives of the legations in London and Paris and at the Hague, were probably brought home by Mr. Smith and Col. Daingerfield. It is believed however, that they still remain in possession of those gentlemen.

The archives of the consulate at New York, have never been delivered to the State that I am aware of; and those of the consulate at New Orleans are, as I am informed, in possession of Edward Hall, Esq., at Galveston. The archives of the other consulates are probably unimportant. It might be well however, to direct the Governor by law, to ascertain the probable importance to the State of the records of the several consulates of the late Republic both in Europe and America, and, if he should deem it advisable, to have them brought home, to authorise him to do so. By correspondence with our former ministers and consuls, the necessary facts could be readily ascertained. The cost of performing these duties would probably in no event exceed three hundred dollars.

These are the principal suggestions which occur to me as proper to be made, in relation to the society embraced in my report and coming within the scope of your inquiries. If there be anything further upon which my official experience may be of any service to you, I beg that you will not hesitate

to call on me. — I have the honor to be, very respectfully,
Your Obedient Servant,

M. D. Miller,

Secretary of State.

Executive Office,
Austin, November 30, 1849.

Message to the House transmitting correspondence of Judge Baird.

To the Honorable, the House of Representatives:

In compliance with a resolution of your Honorable Body, of the 29th instant, I herewith transmit all the correspondence received from Judge Baird, since the 5th instant, which relates to affairs at Santa Fe. His letters of previous dates have been submitted to the Senate in the original form, and are now in possession of that branch of the Legislature.

The subjects of which the correspondence now submitted treats, are of a grave and interesting character; and I would respectfully urge upon the attention of your Honorable Body the importance of cool and deliberate action thereon.

As the originals, for the most part, are also now transmitted, I respectfully request that they may in due season be returned to this office.

I have the honor to be,
Very respectfully,
Your Obedient Servant,

Geo T Wood

Smithsonian Institution,
Washington, 5 Nov., 1849.

To the Secretary of State of Texas:

Sir,

I beg leave to call your attention to the accompanying sheet, and to request that you will have the goodness to reply to the queries which it contains for the State Library of Texas.

If you cannot answer readily all the questions, I should be happy to receive an early return; though it give nothing more than a conjectural estimate of the size of the Libro, with the address of the acting librarian.

Your early attention to this, will promote an important public interest, and oblige,

Most respectfully,
Your Obedient Servant,
[Signed.] C. C. Jewett,
Librarian Smith.n Inst.n

Letter of inquiry from C. C. Jewett, Librarian Smithsonian Institution.

The following questions having been prepared in order to collect as accurate statistics as possible of the various public libraries in the United States, the Librarian of the State Library of Texas, at Austin, is respectfully requested to reply to as many of them as he may be able to answer without much delay, and to return this paper by mail, to Charles C. Jewett, Librarian of the Smithsonian Institution, Washington, D. C.

1. By what name is the Library legally designated?
2. When was it founded?
3. What number of volumes does it contain?
4. Has it collections of manuscripts, maps and charts, music, engravings, medals, coins, &c.? If so, please to state the number of articles of each description.
5. Are the numbers, given in reply to the last two questions, ascertained by actually counting the volumes and articles, or are they from a conjectural estimate?
6. What has been the yearly average number of volumes added to the Library for the last ten years?
7. What has been the yearly average expenditure for the purchase of books?

8. Is there a permanent fund for the increase of the Library? If so, how large is it, and what sum does it yield annually?
9. How many and what officers are employed? What are the names and address of the present officers?
10. Has a building been erected expressly for the Library? If so, when, of what material, and at what expense?
11. What are the dimensions, and what is the ground plan of the Library building or rooms?
12. Are the books arranged on shelves according to subjects, or on some other system?
13. Is there a printed catalogue of the Library? If so, when was it printed, and what is its size and the number of pages? If more than one, what is the date of each?
14. How often is the Library opened, and how long is it kept open each time?
15. Who are entitled to the use of the Library, and on what terms?
16. Are books lent out to read? If so, how many are taken out annually?
17. What is the yearly average number of persons consulting the Library, without taking away the books?
18. Have the books been injured at any time by insects?
19. Is there any regulation by which books may be lent by courtesy to persons at a distance? If so, what is it?
20. Are there any public school libraries in Texas? If so, how many, and what is the aggregate number of volumes which they contain?

Department of State,
Austin, Texas, November 30, 1849.

Charles C. Jewett, Esq.,
Librarian Smithsonian Institution:

Sir,

I have hastened to reply to the several inquiries accompanying your note of the 5th instant. The answers you will find enclosed.

I regret that I am not able to make a more satisfactory report in respect to our Library. The difficulties which have surrounded our people, down almost to the present period, have interfered greatly with that attention which would otherwise doubt-

Note to Librarian of Smithsonian Institution.

less have been given to this matter. — I have the honor to be,
Very respectfully,
Your obedient servant,

W. D. Miller,

Secretary of State.

Answer 1. It has no legal designation. The collection of books is usually styled "The State Library."

2. The collection was commenced in 1837, and is derived from donations.

3. One thousand volumes.

4. There are in the collection about one dozen maps and charts.

5. By counting the volumes, &c.

6. About eighty.

7. Nothing has been appropriated to this purpose.

8. There is none.

9. There is no special Librarian. The library being in charge of the Secretary of State, he may be considered ex officio librarian.

10. None. — The books are kept in the State Department building.

11. No building devoted exclusively to this purpose.

12. They are arranged according to subjects.

13. None.

14. The books are accessible during the business hours in the office of the Secretary of State.

15. The public, without charge.

16. They are. — About three hundred are taken out annually to be read.

17. Probably three or four hundred.

18. Not by insects — but from want of proper means of preservation in the building containing them.

19. There is none.

20. None.

Executive Office,
Austin, December 1, 1849.

Message nominating Notaries Public.

To the Honorable the Senate:

I herewith present the names of Bartley Stanchfield and W. Raeburn Thomas, for your advice and consent thereto, as Notaries Public for Wharton County.

The nomination of Mr. Stanchfield is made in place of C. G. Ward, confirmed by the Senate on the 6th May, 1846, and who did not qualify. The nomination of Mr. Thomas is original.

Geo T Wood

Department of State,
Austin, December 4, 1849.

Certificate of appointment of Notary Public.

I, the undersigned, Secretary of State, do hereby certify that Dwight Brewster was appointed and confirmed by the Senate as a Notary Public for the County of Nueces; and that from the records of this office, it appears he was commissioned as such on the 16th day of March, 1848.

Given under my hand this 4th day of December, 1849.

M. D. Miller,
Secretary of State.

The State of Texas.

Remission of sentence of J. B. Moeur.

Whereas it has been represented to me, that at the fall term, 1849, of the District Court for the County of Nacogdoches, Jean Baptiste Moeur, a boy between fifteen and sixteen years of age, was by a jury found guilty of the crime of horse-stealing, and sentenced to one year's hard labor in the Penitentiary.

Now, be it known, that I, George T. Wood, Governor of the State of Texas, for divers good reasons to me made known, by virtue of the power vested in me by the constitution and laws of the said State, do pardon him, the said Jean Baptiste Moeur, unconditionally, and direct the sheriff of Nacogdoches County fully to release and set him free, in the event that he be yet in his keeping, and make return of this as his lawful warrant therefor.

L. S.

Given under my hand and the Great Seal, at Austin, this the 6th day of December, in the year of our Lord one thousand eight hundred and forty-nine, and of Texian independence the fourteenth.

Geo T. Wood

By the Governor:

H. D. Miller,

Secretary of State.

Bill vetoed by the Govern. or.

Joint Resolution

Relative to the Removal of certain Tribes of Indians beyond the limits of the State of Texas.

Whereas various tribes of Indians, belonging to and under the control of the United States of America, have heretofore intruded, and still continue to intrude upon the territory belonging to this State, contrary to, and in violation of, the stipulations of a treaty concluded between the Republic of the United States and Mexico, on the 5th day of April, 1831, and acknowledged and recognized on the 3d day of December, 1838, between the said Republic of the United States and the late Republic of Texas.

And whereas the aforesaid tribes of Indians frustrate the prosperity of this sovereign State, defeat the growth of our frontier settlements, disturb the happiness of our good citizens, and retard the progress of social improvement: Therefore,

Be it resolved by the Legislature of the State of Texas, That His Excellency the Governor of this State, be, and he is hereby required

to demand of the President of the United States of America, the removal of the said tribes of Indians, as soon as practicable, beyond the boundary of the territory belonging to this State, and also the prohibition and prevention of their incursions and encroachments hereafter within the limits of said territory; and that a copy of this preamble and resolution be forwarded to each of our Senators and Representatives in Congress, and that they be instructed and requested to procure all necessary action on the part of the General Government, in order to obtain the object herein desired.

(Signed) C. G. Keenan,
Speaker of the House of Representatives.
John A. Greer,
President of the Senate.

Executive Office,
Austin, December 4, 1849.

Veto Message. Gentlemen of the Senate:

A "joint resolution relative to the removal of certain tribes of Indians beyond the limits of the State of Texas," which originated in your Honorable Body has been presented to me for approval.

At the same time that I highly approve the object of that resolution and am to the utmost extent disposed to coöperate with the Legislature in the attainment of the end contemplated by it, I yet feel constrained under my view of the matter, to withold my assent to it in its present shape.

If the proposition were a true one, (which I am however inclined to doubt,) that the stipulation in the treaty between the United States and Mexico, of the 5th April, 1831, is yet a subsisting one, still I cannot construe its provisions so as to impose on the United States Government the obligation to act in reference to the Indians in the manner indicated by this resolution.

That I am correct in this construction, is clearly proved by the correspondence, referred to in the resolution, between the Secretary of State of the United States and our minister, dated 30 December, 1838. I transmit herewith a copy of the reply of the Honorable Secretary of State, denying the obligation of his Government to interfere in any case, except where acts of hostility or plunder have been committed.

The right however, on the part of the State to insist on the removal of these as well as all other Indians beyond her limits, exists, it is believed, independent of any such stipulation, and should therefore, in any resolution having this for its object, be

placed upon its true and proper ground. – The General Government having assumed by laws and treaties, the regulation and control of all the Indian tribes within her limits, it in consequence became its duty so to exercise that power as to promote peace and prevent difficulties and collisions between them and the States. This can never be done so long as the Indians are permitted to remain within the limits of the States. Whereas in this case, their incorporation into the State is impossible. The greater will necessarily absorb the less, and the only practical plan of securing peace to the States and preserving the Indians from extermination is, to remove them with their own consent to a position entirely without the boundaries of the State jurisdictions, where they can assert and exercise their own political sovereignty, and live and develope their true national character under their own laws and institutions.

The right of the State to the soil within her limits, is perfect, except so far as it is impaired by the Indian title of occupancy – which title it is the right of the State at any moment to extinguish when her wants or her policy demands it. This principle applies with equal pertinency, to those Indians who were originally found here as to those who have intruded since the occupation of the country by the Anglo-American race.

The time having now arrived when the State of Texas, in discharging the obligations resting on her in favor of her creditors, is compelled to appropriate the country occupied by the Indians within her limits and extinguish their title thereto, by conferring it on others, it is her right and becomes her duty to those in whose favor such disposition is made, to cause them to be removed beyond her limits.

The proper and legitimate mode to effect this, is through the agency of the General Government, who has assumed the guardianship and control of this people. Upon these grounds it is that our right to demand their removal should be based.

I have the honor to be your Obedient servant,

Geo. T. Wood

Executive Office,
Austin, December 6, 1849.

Message nominating Notaries Public.

Gentlemen of the Senate:

I have the honor to submit for your advice and consent, the following nominations for Notaries Public:

John C. Cleland, for the County of Calhoun.
Christopher Güntzel, for the County of Comal.
Isham J. Patrick, for the County of Polk.
C. C. Galloway, for the County of Upshur.

Geo T Wood

Ve

The State of Texas.

Certificate of election of Comr. of the Genl. Landoffice

Be it known to all whom it may concern, that, at an election held throughout this State, on Monday; the sixth day, of August, in the year 1849, for Commissioner of the General Landoffice, George W. Smyth received for said office, a majority of all the votes cast therefor, and was then duly and constitutionally elected Commissioner of the General Landoffice, as aforesaid; all of which appears by the returns of said election made according to law.

L. S.

In testimony whereof, I hereunto set my hand and affix the Seal of State, at Austin, the 11th day of December, 1849, and in the year of the independence of Texas the fourteenth.

Geo T Wood

By the Governor:

W. D. Miller,
Secretary of State.

Resolution of the Senate requesting information in relation to Santa Fe.

Senate Chamber, December 3, 1849.

George T. Wood, Governor, &c., &c.

Sir,

I am instructed by the Senate to transmit to you the following resolution:

"Resolved, That the Governor be respectfully requested to lay before the Senate all the information relating to the interest or government of the County of Santa Fe, that may have been received by him since his last communication to the Senate on that subject."

I am Your Excellency's Obt Servt,

[signed.] N. C. Raymond,
Secretary Senate.

Message transmitting information in relation to Santa Fe.

Executive Office,
Austin, December 11, 1849.

To the Honorable the Senate:

Gentlemen — In compliance with a resolution of your Honorable Body, of the 3d instant, I herewith transmit a copy of the last communication received from Judge Baird, dated Independence, Missouri, November 6, 1849, with additional correspondence between the Judge and the United States military authorities at Santa Fe.

A portion of the correspondence from Judge Baird, received since the date of that heretofore submitted to the Senate, has been communicated in the original form to the House of Representatives; and I beg to refer your Honorable Body to them.

I have the honor to be,
Your Obedient Servant,

Geo. T. Wood

Senate Chamber, November 28, 1849.

Resolution of the Senate requesting information in relation to calling out troops.

George T. Wood, Governor &c., &c.

Sir,

I am instructed by the Senate to transmit to you the following resolution:

"Resolved, That the Governor be respectfully requested to inform the Senate under what law or authority he ordered into the service of the State the two companies of troops referred to in his message, and his reasons for so doing, in order that the Senate may be properly informed of the circumstances connected therewith."

I am your Excellency's Obedient Servant,

[signed] N. C. Raymond

Secretary Senate.

Executive Office,

Austin, November 30, 1849.

Message in relation to Executive authority for calling out troops.

Gentlemen of the Senate:

The Executive has the honor to acknowledge the receipt of a resolution of your Honorable Body, requesting him to inform the Senate under what law or authority he ordered into the service of the State the two companies of troops referred to in his message, and his reasons for so doing, &c.

In reply he has the honor to say that, in May last, information of a most reliable character was received by him that the country around Corpus Christi and between that place and the Rio Grande, was infested by large bodies of hostile Indians, who were committing almost daily extensive depredations and frequent murders upon the citizens of that portion of our State. The enterprising pioneers, who were attempting to form settlements in that quarter, were not only interrupted in their employments, but driven into the neighboring towns and in many instances compelled to abandon their burning homes and everything they possessed.

It was, at the same time, known to the Executive, that several companies of the United States troops, principally infantry and artillery, were stationed on the Rio Grande; but it was equally well known to him that this force, either from its injudicious disposition or from a want of adaptability, had proved itself inadequate or unfit for the purposes of protection. That such was the fact, was

neither the fault of the officers nor men who composed this force. It arose necessarily from the nature of their organization, belonging as they did to an arm of national defence wholly unfit for the peculiar service required. They are unable to protect against such an enemy, moving uniformly on horseback and with great celerity, any more than the space covered by their encampments or within range of their guns.

The Government of the United States was addressed directly upon this subject, as well as its military officers in immediate command here. They were slow however, to recognize the necessity of action on their part, and the State was left no other resource against outrage and violence but an appeal to the patriotism of her own citizens to protect her territory against savage cruelty.

In this condition of things, when the cries of his fellow-citizens for help were reaching him every day – when every new messenger from that quarter was but the herald of some new outrage or of some more startling atrocity, the Executive never thought of appealing to the statute-book to ascertain the nature of the extent of his official duty. This was indicated to him with sufficient force and clearness by the common instincts of nature and humanity. We do not seek in written codes any authority or sanction for defending our persons & our property against aggression and wrong; it is an impulse of our nature older than the law and superior to all the guarantees of the constitution.

The same paramount right and duty attaches to him who is entrusted with the government of a State to employ its means to repel violence and protect it from injury. Aside from these considerations, it is believed by the Executive that, in accepting the services of these companies, he acted in strict conformity to the constitution. The fourth section of the sixth article of that instrument declares that "the Governor shall have power to call forth the militia to execute the laws of the State, to repress insurrection and repel invasion." The emergency which he conceived to exist, may not technically be held either an insurrection or an invasion; but to the State and its citizens the consequences were the same. Under this section, if the power exercised in the instance under consideration, be not vested in the Executive, he confesses himself unable to understand either the force or the application of the language. If however, it should be held that the constitution does not sustain him in the course he adopted, the Executive does not count, but will not shrink from condemnation, preferring far to be condemned for

employing irregular means to do a praiseworthy act than to be commended for folding his arms, according to law, and looking with unconcern upon the sufferings of his fellow-citizens.

Should your Honorable Body adopt the opinion that the Executive in this instance acted improvidently and without the sanction of law, he indulges the hope that this circumstance may not impair the claims of those whose services and means were placed at the disposal of the State to protect the lives and property of her people. Should the Legislature fail to do this, we can have no reason to expect that the General Government will recognize the necessity of the call, or make provision for their payment; and the consequence will be that, on future occasions, when the State may need the aid and services of her citizens, her calls may be as coldly and indifferently responded to as she now responds to them.

I have the honor to be,
Your Obedient Servant,
Geo T. Wood

Executive Office,
Austin, December 12, 1849.

Gentlemen of the Senate:

Message transmitting Treasurer's Reports.

I have the honor to transmit herewith, the reports received from the Treasurer since the adjournment of the last Legislature.

These reports, it was thought, should be accompanied by that of the Comptroller; and having, since the receipt of the first named, been in the daily expectation of receiving one from that office, I delayed sending in those which I had received until I should be able to communicate both.

I have the honor to be,
Your Obedient Servant,
Geo T. Wood

Executive Office,
Austin, December 14, 1849.

Gentlemen of the House of Representatives:

I have the honor herewith to transmit the report of the Comptroller of Public Accounts, for the years 1848 and 1849.

Message transmitting Comptroller's Report.

This important paper has been necessarily delayed to the present moment for reasons stated in my message at the opening of the session. I have had only time to give it a hurried examination, and consequently submit it to the Legislature without any suggestions of my own, confident at the same time that it will prove full and satisfactory, and embody many suggestions entitled to great weight, as the results of the reflection of an experienced and able public officer.

The Honorable the House will please adopt such convenient method as it may think proper, to place the Honorable the Senate in possession of the information herewith communicated.

I have the honor to be Your obedient servant,

Geo T. Wood

Department of State,
Austin, Texas, December 15, 1849.

To the Honorable John M. Clayton,
Secretary of State of the United States:

Sir,

Note to Secy of State of U. S., acknowledging receipt of books.

I have the honor to acknowledge the receipt of the United States Official Register for the years 1822, 1824, 1830, 1832, 1833, 1835, 1838, 1839, 1841, 1843 and 1845, and the volumes containing the Executive and Congressional Documents for the first session of the thirtieth Congress.

I am, Sir,
Very respectfully,
Your Obedient Servant,

M. D. Miller,
Secretary of State.

Executive Office,
Austin, December 14, 1849.

To the Hon. G. W. Crawford,
Secretary of War:
Sir,

Being about to retire from office, I feel it to be my duty to invite your attention to the state of our relations with the Indians upon our borders, and to avail myself of the occasion to present some views and considerations connected with the protection and defence of our frontiers against their incursions, which have suggested themselves to me during a residence of many years in this country, and especially those with which I have necessarily become familiar during my administration of the Government of this State.

Letter to the Sec'y of War in relation to Indian affairs, &c.

It is known to you that Texas has a sparsely settled frontier, nearly one thousand miles in extent, commencing on Red River, at about the 33d degree of north latitude and pursuing generally this parallel to the Rio Grande, and down that stream nearly to its entrance into the gulf. The settlers upon this line throughout its extent, are exposed to Indian depredations and outrage at every point without exception; and they are at this time, and have been for the last four years, as well as previously to that time, subject to these depredations and the victims of these outrages, except so far as they have been protected by the forces of the United States, which force has ever been and is especially at this time, wholly inadequate to insure them protection or security. I do not wish to be understood as expressing the opinion that a force adequate to a successful prosecution of a war against the Indians, either in its number or appointments, is by any means necessary, entertaining the opinion, as I do, that a war with them should be avoided, so long as such a course would not jeopardise the safety of our citizens. The difficulties which would attend it, are obvious and manifold. The country which they inhabit is immense in its extent, and far the greater portion of it illy adapted to the operations of organized - the first affording them opportunities for dispersion so as to elude pursuit, and the latter the means of retreating where they could scarcely be reached. A war with them would necessarily be protracted - require much hard service and involve an immense expense to the nation

I am therefore, clearly of the opinion that, to avert a rupture with them is the interest of the country, second only

to the paramount interest she has in the protection of the lives and property of her citizens. The inquiry then is: how shall we attain both these important ends? No other plan, I respectfully conceive is so certain to secure these, as the presence of a strong force along a line drawn from Red River to the Rio Grande, sufficiently strong to keep up a continual intercommunication along it, and capable of moving with promptness and celerity. This is not intended as any disparagement of the troops now engaged in this service. On the contrary, I have no hesitation in saying that they have rendered good service, and as efficient as could have been expected under the circumstances. A considerable portion of this force being infantry and artillery, is wholly unadapted to the peculiar service required against these tribes, who, by many successful forays, have possessed themselves of large herds of horses, and who move uniformly on horseback and with great celerity. Companies are stationed from fifty to one hundred miles distant from each other, along a line running as I have before said, through a sparsely settled region, and intersected at numberless points by a character of country well calculated to shelter their approach and afford them an undetected ingress into the settlements, where, in obedience to their savage instincts, they plunder and murder, and before troops can be had from any station, they are beyond the reach of pursuit and secure in their fastnesses.

The citizens on our Southwestern frontier are, from the nature of the country, more exposed to depredations than at any other point, and necessarily require more troops, and which should be of the proper kind and placed in proper positions. The intermediate country between the San Antonio river and the Rio Grande with dense chaparrals affording, in many places, safe retreats for Indians until they are prepared to escape, and indeed where they can and have lived for years. This is the character of a great portion of the country between these rivers, from near their entrance into the gulf extending back to the vicinity of San Antonio and Laredo. The settlers in this portion of Texas are principally engaged in the business of raising stock, and by far the larger portion of what they are worth, consists in this species of property, and against which the acts of depredation on the part of the Indians are principally directed, as their means of subsistence and movement, but principally on account of the facility with which its asportation can be effected.

There have been at least one hundred and fifty persons killed in the vicinity of Corpus Christi within a year, an incredible amount of property carried away and destroyed, and the settlers in many instances entirely broken up and driven from their homes.

The utter futility of all mere treaty restraints with such a people, without fixed habitations or pursuits, or the means of offering adequate guaranties for their observance, and into whose social system the right to steal and kill is incorporated as fully as their right to breathe the common air, needs no demonstration. The history of the past is pregnant with its confirmation. They can only be restrained by motives of fear, awakened by the presence of a power ready and able to punish them. The condition of things alluded to, must and will continue, unless arrested by a military force adapted to and adequate for the purpose.

As an important auxiliary means of protection, I would respectfully suggest the establishment of a Government depôt at Corpus Christi. The transportation of Government stores from that point to all the different posts along the western end, would have a tendency to give confidence to the settlers; and the escorts necessary to guard the transportation trains in and out, would, with a very small additional force, give complete protection to this entire section, now so much exposed, and which has already suffered so severely in the loss of life and property.

It affords me much gratification to express the opinion which I have ever entertained, of the disposition of the present administration to mete out ample justice to Texas in the protection of her citizens against savage cruelty and violence; but I cannot, in justice to my fellow citizens, or to my own sense of duty, permit my term to expire without submitting to the Federal authorities, my views in relation to this important subject, and giving such information as I know cannot fail to be useful, and which I am allowed to conclude has not heretofore been in their possession.

I have thus endeavored briefly to present my views for your consideration, confident that such action will be had in the premises as may be just and proper.

I have the honor to be your very obt servt,

Geo. T. Wood

Executive Office,
Austin, December 14, 1849.

Gen. Tho. S. Jesup,
Quarter Master General,
Washington:
Sir,

Letter to the Qr. Mr. Genl. in relation to establishment of depôt, &c. &c.

I have the honor to call your attention to the subject of the establishment of a Government depôt at Corpus Christi in this State. I am induced to do so in connection with a communication of this date addressed to the Hon. G. W. Crawford, Secretary of War, in reference to frontier protection and defence, which will more fully explain my object.

It would appear, from circumstances connected with the exposed condition of our frontier that proper protection, or a proper regard for the safety of our frontier citizens, had not been felt by The General Government; and I am satisfied that such a conclusion would be to do injustice to those having charge of this very important interest, and cannot doubt for a moment the intention and anxious desire of the present administration to extend every necessary facility within their control to this end; and that if they have failed to extend that protection to our frontier which Texas had a right to expect, I am warranted in the conclusion that it results from a want of proper data or information upon which to act. Consequently, I feel it my duty, before retiring from office, to lay before the proper departments my views in reference to this very important subject.

Texas has a very extended line of sparsely settled frontier, stretching from the Red River to the Rio Grande - touching the latter river at about latitude 33° 30', or perhaps higher up - and from thence down almost to its entrance into the gulf; the distance in all being about one thousand miles. This whole line and its borders, are infested with various and numerous tribes of disaffected and hostile Indians, restrained and held in check only by the military demonstrations made by the United States, which are very inconsiderable, and in my opinion, wholly inadequate to a proper protection of this extended line; and the result is, the Indians murder our citizens and steal and carry away their horses and other property with perfect impunity. The citizens bordering the western end of this line are more exposed to depredation than they are even

on the eastern and middle portions, for the reason that the western portion of the State, especially west of the San Antonio and Nueces rivers, is very sparsely settled, except at Corpus Christi and along the Rio Grande – the intermediate country between the Nueces and Rio Grande being a dense chaparral or thicket totally inaccessible to our troops and affording the Indians complete protection against all possible pursuit, where they can remain in safety and commit depredations at will.

If there was a depôt at Corpus Christi, and the Government stores and supplies transported, say from this point, to San Antonio and other stations in the west, it would necessarily offer facilities for settlement, throw a considerable number of troops into this vicinity, and the guards necessary for proper escorts for the safety of the trains, would give confidence to the settlers and serve, to a great extent, to give protection to all the country from the gulf coast up to the line of posts on the extreme frontier – and the land carriage for supplies on this route would certainly be much cheaper than on that by which they are now taken.

I indulge the hope that these suggestions may be thought worthy of consideration, and if found necessary and compatible with the public interest, viewed with reference to the immense advantage which this region will receive from such a course of policy, that they may be adopted.

I have the honor to be,
Very respectfully,
Your Obedient Servt,

Geo. T. Wood

Valedictory Address.

Gentlemen of the Legislature
and Fellow Citizens:

My official relation to the State of Texas, as her Chief Magistrate, expires to-day; and I appear before you, in conformity to usage, formally to recommit the power incident to that relationship into the hands of those who gave it.

It affords me great pleasure to express the assurance, which I feel, that this power and the responsibilities incident to the discharge of its duties, are about to be confided to honest, capable, and worthy hands, under whose direction we are permitted to indulge no fears for the safety of the interest and the honor of the State.

In looking round upon our prosperous condition as a people, and contrasting the present with what it once was, we find abundant cause to congratulate ourselves, and are permitted to look with confidence to that Power, who alone can crown the efforts of a people with success to conduct our State at no distant day, to the proud destiny which awaits her.

And, Gentlemen, to the forecast and wisdom of your counsels - to the patriotic union of your purposes - to the earnest devotion of the faculties and energies of your minds to the welfare of the State, her children look confidently to secure a continuance of this prosperous condition.

To ensure the proper effect of this course on your part, and the realization of this expectation on theirs, it will behove you to sacrifice every selfish and sectional feeling and consideration upon the altar of your country's weal, and to meet together in your deliberations animated by one common will to advance the prosperity and elevate the dignity and character of your State. Do this, and you will have acquitted yourselves of your duty to those who have confided to you the solemn trust of a people's happiness, and given to your State an impulse towards the development of her greatness.

In conclusion, Gentlemen, permit me to avail myself of this occasion to express to you, and through you to the people of Texas, my grateful appreciation of that

public confidence which conferred upon me the dignity which, in obedience to the requirements of the constitution and the will of the people, I this day lay down - a manifestation, to the recollection of which my children will recur with pride, long after I shall have been consigned to silence and the dust.

Geo. T. Wood